

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
3                   EASTERN DIVISION

4       GEORGE L. WADE, JR., THE ESTATE  
5       OF GEORGE L. WADE, SR., DECEASED,                   PLAINTIFFS  
6       AND HIS HEIRS AT LAW

7       v.   CAUSE NO.2:16cv47KS-MTP

8       THE CITY OF HATTIESBURG, MS,  
9       OFFICERS DEMETRIUS BRELAND and  
10      NAROTTAM HOLDEN, INDIVIDUALLY  
11      AND IN THEIR CAPACITIES AS  
12      POLICEMEN WITH THE HATTIESBURG  
13      POLICE DEPARTMENT, AND JOHN  
14      DOES 1-10   DEFENDANTS

15                   \*\*\*\*\*

16                   **DEPOSITION OF GEORGE L. WADE, JR.**

17                   \*\*\*\*\*

18                   Taken at  
19                   Hicks Law Firm, PLLC  
20                   211 South 29th Avenue, Suite 201  
21                   Hattiesburg, Mississippi 39401  
22                   on Monday, July 24th, 2017  
23                   beginning at approximately 10:00 a.m.

24                   \*\*\*\*\*

25                   **ANGELI ENGLISH**  
                  Shorthand Reporter #1897  
                  Notary Public

**ASPIRE REPORTING, LLC**  
                  Post Office Box 2605  
                  Ridgeland, Mississippi 39157  
                  601.797.9240  
                  1.800.73.STENO



**A P P E A R A N C E S**

For the Plaintiffs:

**OTTOWA E. CARTER, JR., ESQUIRE**

Ottawa E. Carter, Jr., PA  
604 Highway 80 W, Suite N  
Clinton, MS 39056-4108  
601.953.4712  
oec@ottowacarterlaw.com

For the Defendants:

**R. LANE DOSSETT, ESQUIRE**

Hicks Law Firm, PLLC  
211 South 29th Avenue, Suite 201  
Hattiesburg, Mississippi 39404  
601.544.6770  
lane@hicksattorneys.com

Also Present:

Susa Wade

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## STIPULATION

It is hereby stipulated and agreed by and between the parties hereto, through their respective attorneys of record, that this deposition may be taken at the time and place hereinbefore set forth, by ANGELI ENGLISH, Court Reporter and Notary Public, pursuant to the Rules;

That the formality of **READING AND SIGNING** is specifically **NOT WAIVED**;

That all objections, except as to the form of the questions and the responsiveness of the answers, are reserved until such time as the deposition, or any part thereof, may be used or sought to be used in evidence.

\* \* \*

1                   **GEORGE WADE, JR.**

2                   having been first duly sworn,  
3                   was examined and testified as follows:

4                   **EXAMINATION**

5                   BY MR. DOSSETT:

6                   Q.     Mr. Wade, we met shortly before the  
7                   deposition. My name is Lane Dossett, and I  
8                   represent the City of Hattiesburg and some  
9                   officers that have been named in a lawsuit that  
10                  you have filed, and also this lawsuit is  
11                  proceeding on behalf of your father.

12                  I understand before we began this  
13                  morning that you go by, Wade, so I'll be calling  
14                  you Wade this morning.

15                  MR. DOSSETT: Off the record just a  
16                  second.

17                  BY MR. DOSSETT:

18                  Q.     You've got a fine attorney here,  
19                  Mr. Carter, and I know he prepared you for your  
20                  deposition. But I just want to go over just a  
21                  couple of ground rules, if we can, and that would  
22                  be two things. The first is that you let me  
23                  finish my question and then that you answer.  
24                  That way the court reporter can take down your  
25                  answers and we won't be talking over each other.

1           A.    Yes, sir.

2           Q.    And the other thing is that you give a  
3 verbal answer, that is, yes, or, no, or explain  
4 your answer using words instead of a head nod --

5           A.    Yes, sir.

6           Q.    -- or a, uh-huh, or, huh-uh. She can't  
7 take those down. Okay?

8           A.    Yes, sir.

9           Q.    I'll like to begin by asking you some  
10 background information. Some of this information  
11 may be personal to you but it just helps me to  
12 get to know you. And none of these questions are  
13 meant to be intrusive to you but there's a reason  
14 for them, and they are not unique to you. They  
15 are questions I ask everyone.

16          A.    Yes, sir.

17          Q.    I'll begin by getting your full name,  
18 please.

19          A.    George Lee Wade, Jr.

20          Q.    And your father was George Lee Wade,  
21 Sr.?

22          A.    Yes, sir.

23          Q.    How do you spell Lee?

24          A.    L-e-e.

25          Q.    Okay. And what is your current

1 address?

2 A. 1500 Cherry Street, Hattiesburg,  
3 Mississippi 39401.

4 Q. And this is the address where the  
5 events that brought us here today occurred?

6 A. Yes, sir.

7 Q. How long have you lived at that  
8 address?

9 A. Fifteen years.

10 THE WITNESS: 16 or 15, Babe?

11 MR. CARTER: You can't ask her.

12 THE WITNESS: Oh.

13 A. Fifteen years.

14 BY MR. DOSSETT:

15 Q. Who owns that house?

16 A. Me and my wife, Susa Wade.

17 Q. And just for the record, it's not,  
18 Susan, with an "n". There's some nomenclature  
19 that has to be fixed on that, but it's, Susa,  
20 without the "n"?

21 A. Yes, sir.

22 Q. Where did you live before you lived on  
23 Cherry Street?

24 A. I lived at -- it was Brightville  
25 Apartments, 1 -- L34.

1 Q. Is that in the City of Hattiesburg?

2 A. Yes, sir.

3 Q. All right. Cherry Street, if you could  
4 kind of tell me what that's by.

5 A. Right across the street from William  
6 Carey University.

7 Q. Okay. The main entrance to William  
8 Carey where you would go through the gate?

9 A. There's a gate in front of my house,  
10 yeah. You can go through the gate on the side of  
11 William Carey.

12 Q. Is that where the little guard booth  
13 is?

14 A. No, sir. It's on the other side.

15 Q. By the new school of medicine?

16 A. It's by the art building they just  
17 build.

18 Q. Okay. And what is your phone number?

19 A. 306-8954.

20 Q. And that's 601?

21 A. Yes, sir.

22 Q. And what is your date of birth?

23 A. 1st, 19, '66.

24 Q. All right. And how old would that put  
25 you?



1           A.     Fifty-one.

2           Q.     And your Social Security number?

3           A.     XXX-XX-7700.

4           Q.     Okay. And I understand you're married  
5 to Ms. Susa Wade who is here today?

6           A.     Yes, sir.

7           Q.     I hate to put you on the spot, but when  
8 were you married?

9           A.     2002.

10          Q.     Safe answer. Were you married before  
11 that?

12          A.     Yes, sir.

13          Q.     All right. And what is your prior  
14 wife's name?

15          A.     Debra Applewhite.

16          Q.     What's the middle name?

17          A.     It's Debra Applewhite.

18          Q.     Applewhite, one word?

19          A.     Yes, sir.

20          Q.     All right. Does she live here in  
21 Hattiesburg?

22          A.     No, sir. And I don't know where she  
23 live.

24          Q.     All right. And what year were you  
25 divorced?

1           A.     That's putting me on the spot. I don't  
2 recall that date.

3           Q.     All right. Now, I'll like to talk to  
4 you about your children. I understand there were  
5 a lot of your children present at that time. So  
6 let's go through your children, if we can, their  
7 full names, oldest to youngest. If you would,  
8 give me their names, ages and where they live.

9           A.     Taneshia Roberts.

10           MR. DOSSETT: And if you need him to  
11 spell these, just let me know.

12           COURT REPORTER: Okay.

13           A.     She's 26.

14 BY MR. DOSSETT:

15           Q.     Okay. And where does she live?

16           A.     She live in Oak Grove. That's all I  
17 know, she live in Oak Grove.

18           Q.     Was she with you on April 16, 2013, at  
19 your house when this happened?

20           A.     She came up during, while it was going  
21 on.

22           Q.     Okay. How do you spell her first name?

23           A.     I really don't know.

24           Q.     T-a-n-e-s-h-i-a, does that sound  
25 correct?

1           A.    Yes, sir.

2           Q.    Okay.  And do you know her phone  
3 number?

4           A.    I don't have it on me.

5           Q.    Okay.  Just keep your phone out.  We'll  
6 probably go through a lot of them; maybe some  
7 other ones you do have.

8                   All right.  Where does she work at?

9           A.    At the nursing home in Petal.

10          Q.    Do you know what she does there?

11          A.    No, sir.

12          Q.    Did you see her?

13          A.    Yes, sir.

14          Q.    All right.  We'll get into that later.  
15 Your son or daughter after that, next to  
16 youngest, who would that be?

17          A.    Rayneshia.

18          Q.    And what is her last name?

19          A.    Roberts.

20          Q.    And do you know how to spell that?

21          A.    R-a-y-s-h-i --

22          Q.    R-a-y-s-h?

23          A.    -s-h- -- -s-i- -- I don't know.

24          Q.    How do you say it?

25          A.    Rayneshia.

1 Q. Okay. R-a-y-n-e-s-h-i-a, that sounds  
2 right?

3 A. Yes, sir.

4 Q. And that's Roberts?

5 A. Yes, sir.

6 Q. And how old is she?

7 A. Twenty-four.

8 Q. And was she present on that day?

9 A. Yes, sir.

10 Q. Okay. I can't remember if I asked you  
11 this: What was your prior wife's name?

12 A. Debra Applewhite.

13 Q. Applewhite. Okay.

14 Taneshia and Rayneshia, what is their  
15 mother's name?

16 A. Susa.

17 Q. Susa who?

18 A. Wade.

19 Q. Wade. Okay. Where did the last name  
20 Roberts come from?

21 A. Her maiden name.

22 Q. Okay. Was Rayneshia present throughout  
23 everything?

24 A. Yes, sir.

25 Q. Taneshia arrived at some point --

1 A. Yes, sir.

2 Q. -- after the police arrived?

3 A. Yes, sir.

4 Q. Okay. Where does Rayneshia live?

5 A. She live -- I don't know the name of  
6 those apartments.

7 Q. What are they by?

8 A. They are close by USM.

9 Q. You know the street it's on?

10 A. No, sir.

11 Q. What is her phone number?

12 A. 601-606-0677.

13 Q. And does Rayneshia work?

14 A. She work at Wesley Hospital.

15 Q. What does she do at Wesley?

16 A. Housekeeping, I believe.

17 Q. Okay. All right. After Rayneshia?

18 A. Gennifer Roberts. With a "G". You  
19 spell it with a "G."

20 Q. How do you spell her name?

21 A. G-e-n-n-i-f-e-r.

22 Q. How old is she?

23 A. Twenty-two.

24 Q. And what is her phone number?

25 A. It's 601-434-3819.

1 Q. And was she present on the day that  
2 this happened?

3 A. When it first started she was, but she  
4 left.

5 Q. Do you know at what point she left?

6 A. No, sir. I can't remember.

7 Q. Where does she work?

8 A. At Bedford Care.

9 Q. Bedford Care?

10 A. Yes, sir.

11 Q. Do you know what she does at Bedford  
12 Care?

13 A. No, sir.

14 Q. Okay. Who is after Gennifer?

15 A. George Roberts.

16 Q. And how old is George?

17 A. Twenty-two.

18 Q. Is him and Gennifer, are they twins?

19 A. Yes, sir.

20 Q. Okay. And what is George's number?

21 A. He don't have a phone.

22 Q. Okay. Where does George live?

23 A. He stay in Pinehaven Apartments.

24 Q. Was he present?

25 A. Yeah. He left, too.

1           Q.    Did he come back or did he -- when you  
2 say he left, was he gone at the beginning or at  
3 the end?

4           A.    He left before -- I think he left  
5 before the police came. Before the police  
6 arrive, him and Gennifer left.

7           Q.    And where does George work?

8           A.    He don't work.

9           Q.    All right. After George, who do we  
10 have?

11          A.    Tavares.

12          Q.    Can you spell that for me?

13          A.    T-a-v-a-r-e-s, Wade.

14          Q.    Okay. And how old is Tavares?

15          A.    Eleven.

16          Q.    And was he present?

17          A.    Yes, sir.

18          Q.    And does he live with you?

19          A.    Yes, sir.

20          Q.    All right. Who is after Tavares?

21          A.    That's it.

22          Q.    You have five children?

23          A.    Yes, sir.

24          Q.    What about your wife, does she have any  
25 other children that we have not mentioned?

1           A.    Them her children.

2           Q.    Right. Does she have any additional  
3 children?

4           A.    No, sir.

5           Q.    Okay. At that time back in 2013, did  
6 anyone else live with you? Who lived in your  
7 house? Let me ask it that way.

8           A.    I think, if I'm not mistaken, George  
9 and Gennifer was staying with me and Tavares.

10          Q.    So George and Gennifer and Tavares and  
11 your wife, and those are the only ones that lived  
12 in your house?

13          A.    Yes, sir.

14          Q.    Okay. What about your father, he  
15 didn't live with you?

16          A.    He was just there that day.

17          Q.    Okay. Where did he live at the time of  
18 this, 2013?

19          A.    Eagle Wings Apartments.

20          Q.    Where is that at?

21          A.    In Palmers Crossing on Perry.

22          Q.    Generally speaking, where is that?  
23 Give me a directional reference.

24          A.    It's off old Airport Road.

25          Q.    Okay. Near the Airport area?



1           A.    Yes, sir.

2           Q.    Did anyone live with him or was he  
3 married?

4           A.    Well, my momma had died.  He had a  
5 young lady, Emma, staying with him.

6           Q.    Emma Colquitt, something like that?

7           A.    Yes, sir.

8           Q.    Okay.  Was she present that day?

9           A.    Yes, sir.

10          Q.    So she was at your house with your dad?

11          A.    Yes, sir.

12          Q.    How long has it been since you talked  
13 to Emma?

14          A.    I haven't talk to her since my father  
15 passed because I think she moved.  I don't know  
16 where she moved to.

17          Q.    You don't know if she's in the area?

18          A.    No, sir.

19          Q.    Do you know where she is from?

20          A.    She's from Peterman, Alabama.

21          Q.    Do you know if she went to Alabama or  
22 have you heard anything?

23          A.    I haven't heard anything about her.

24          Q.    What was your mother's name?

25          A.    Lou Alice Wade.

1 Q. Lou Ellis?

2 A. Lou -- L-o-u, A-l-i-c-e, Wade.

3 Q. And what year did she pass?

4 A. I can't recall the year right now.

5 Q. Can you give me approximately? I mean,  
6 I just want to know if she died within the last  
7 couple years or if it's been longer.

8 A. It's been longer than that. I think --  
9 I think in 2006.

10 Q. Okay. Now, brothers, what about  
11 brothers and sisters, do you have brothers and  
12 sisters?

13 A. Yes, sir.

14 Q. How many do you have?

15 A. I have four brothers and three sisters.

16 Q. And the reason I'm asking, for  
17 potential jurors who might be on a trial. What  
18 are your brothers' names?

19 A. John Wade.

20 Q. John Wade?

21 A. Yes, sir.

22 Q. Where does he live? And I'm just  
23 asking the city right now does he live.

24 A. He stay in Forrest County, Oak Grove.

25 Q. Where does he work?

1           A.     He don't work.

2           Q.     Okay.  How old is he?

3           A.     Forty-six.

4           Q.     All right.  What other brothers do you  
5 have?

6           A.     Daniel Wade.

7           Q.     Where does he live?

8           A.     Charleston, South Carolina.

9           Q.     What other brothers do you have?

10          A.     Cedric Burkette.

11          Q.     Can you spell Burkette?

12          A.     No, sir.

13          Q.     Okay.  Where does he live?

14          A.     Chicago.

15          Q.     Okay.  What other brothers do you have?

16          A.     Marcus Magee.

17          Q.     Where does he live?

18          A.     He stay in Knoxville, Tennessee.

19          Q.     Okay.  And your sisters?

20          A.     Cheryl Wade.

21          Q.     Where does she live?

22          A.     Oak Grove.

23          Q.     And how old is she?

24          A.     Forty-eight.

25          Q.     And does she work?

1           A.    No, sir.

2           Q.    All right.  Your other sister?

3           A.    Heather Jackson.

4           Q.    Where does she live?

5           A.    Jacksonville, Florida.

6           Q.    And your other sister?

7           A.    That's all the sisters.

8           Q.    I thought you said you had three  
9 sisters?

10          A.    It's two of them.

11          Q.    You just have two sisters?

12          A.    Yes, sir.

13          Q.    Okay.

14          A.    I have another brother, Raymond.

15          Q.    Can you spell that?

16          A.    R-o- -- R-o-m- --

17          Q.    Raymond?

18          A.    Yes, sir.

19          Q.    Okay.

20          A.    And Raymond carry the same name as  
21 Emma.

22          Q.    I'm sorry.  What's the last name?

23          A.    Well, Emma's last name.

24          Q.    Oh, C-o-l-q-u-i-t-t?

25          A.    Yes, sir.

1 Q. Is Emma, Raymond's mother?

2 A. Yes, sir.

3 Q. Okay. And where does Raymond live?

4 A. He stay in Oak Grove, too.

5 Q. How old is Raymond?

6 A. Between -- I think he's 23.

7 Q. Let's talk now about your background.

8 Did you grow up here in Hattiesburg?

9 A. In the country.

10 Q. Where at?

11 A. Waynetown.

12 Q. Where is that?

13 A. Outside of Petal.

14 Q. Okay. I'm familiar with Petal. What  
15 area?

16 A. Well, there's Petal, Sunrise and then  
17 Waynetown and New Augusta. It's between Sunrise  
18 and New Augusta.

19 Q. Is it off of Highway 42 or Highway 26?

20 A. No. It's Old Rifle Range Road.

21 Q. Okay. My in-laws live out there.

22 A. Oh, yeah. Old Rifle Range and take  
23 McGilvary Road.

24 Q. Yeah. How old were you when you lived  
25 in that area?

1           A.     From birth to 22.

2           Q.     What school did you go to?

3           A.     New Augusta.

4           Q.     Did you graduate high school?

5           A.     Yes, sir.

6           Q.     Okay. Did you go anywhere after high  
7 school?

8           A.     No, sir.

9           Q.     After high school, roughly speaking,  
10 what kind of work or what did you do after that?

11          A.     I worked at Marshall Durbin for nine  
12 years and then I -- after that, I went to the  
13 penitentiary. And after that -- and worked at  
14 United Roofing in Laurel. And then, after that,  
15 I went Loresco, and I've been there ever since  
16 1999.

17          Q.     All right. What is Loresco?

18          A.     It is a cathodic engineer company that  
19 inserts earth control backfill to use on gas  
20 lines and oil rigs.

21          Q.     Okay. L-o-r-e-s-c-o?

22          A.     Yes, sir.

23          Q.     Okay. You used a lot of words there I  
24 didn't understand. Tell me, generally speaking,  
25 what it is that you do.

1           A.    I'm a supervisor.

2           Q.    All right. Do you work in the oil  
3 field?

4           A.    No, sir. I work in the office. We  
5 just make the products that we ship to the guys  
6 that use it in the oil field.

7           Q.    Okay. And what products is it you  
8 make?

9           A.    Air control vac seals.

10          Q.    What does that do?

11          A.    It's for the pipes that they use under  
12 the ground to put or go around the pipes to keep  
13 the pipes from rusting and corroding, the gas  
14 line and the pine line. It is really a rust  
15 eater.

16          Q.    Okay. What kind of supervisor are you,  
17 what do you do as a supervisor?

18          A.    Warehouse supervisor.

19          Q.    And you've been there since 1999?

20          A.    Yes, sir.

21          Q.    Do you have any type of certificates or  
22 licenses?

23          A.    Like what?

24          Q.    Any kind of certification?

25          A.    Oh, no, sir. No, sir.

1 Q. Do you have a CDL driver's license?

2 A. No, sir.

3 Q. How long had you been in the  
4 penitentiary?

5 A. Nine years.

6 Q. And what did you go to the penitentiary  
7 for?

8 A. Controlled substance and possession of  
9 firearm.

10 Q. Where did that charge occur?

11 A. In Forrest County.

12 Q. Who was the arresting agency?

13 A. Hattiesburg PD.

14 Q. Do you remember what year you were  
15 arrested?

16 A. I don't remember what year.

17 Q. That charge, did it occur at your  
18 residence or were you in a car or how did it  
19 occur?

20 A. At the club on Mobile Street.

21 Q. All right. Walk me through what  
22 happened with that arrest.

23 A. Well, I was selling drugs and I had a  
24 friend with me.

25 Q. What drugs were you selling?



1           A.     Cocaine.

2           Q.     And were you selling them in the club  
3 or outside the club?

4           A.     Outside the club.

5           Q.     In a car or just standing in the  
6 parking lot?

7           A.     In the parking lot.

8           Q.     All right. At that time were you  
9 living in Hattiesburg?

10          A.     Yes, sir.

11          Q.     Okay. And who was the friend you had  
12 with you?

13          A.     His name was Feezell (phonetic) Myers  
14 (phonetic).

15          Q.     Was Feezell arrested, as well?

16          A.     No, sir.

17          Q.     Okay. You were selling drugs in the  
18 parking lot. What happened?

19          A.     Well, I was inside shooting pool and  
20 Feezell came to get me to take me downstairs. He  
21 said they wanted something outside. When I got  
22 outside, it was Hattiesburg PD.

23          Q.     Under cover?

24          A.     Yes, sir.

25          Q.     Do you know who the officer was?

1           A.    No, sir. I don't remember.

2           Q.    What happened after you got outside?

3           A.    After I got outside, I talked to the  
4   guy. Then I see some more guys down the street  
5   and I know it was the police, so we got in a  
6   tussle. And they arrested me and took me to the  
7   county jail.

8           Q.    Okay. You got into a tussle with the  
9   undercover officer?

10          A.    Yes, sir.

11          Q.    All right. What was the reason for the  
12   tussle?

13          A.    Because I knew it was the police and I  
14   was trying to run and he slammed me down.

15          Q.    All right. What happened during the  
16   tussle?

17          A.    When they throw me to the ground, they  
18   just put the handcuffs and put me in the car and  
19   took me downtown and they booked me in.

20          Q.    And what year was that?

21          A.    I don't remember what year it was.

22          Q.    When they threw you to the ground, were  
23   you injured?

24          A.    No, sir.

25          Q.    All right. Did you have any medical

1       care?

2           A.    No, sir.

3           Q.    All right.  What were you charged with?

4           A.    I was charged with possession of a  
5       controlled substance.

6           Q.    All right.  Were you charged with  
7       resisting arrest?

8           A.    No, sir.

9           Q.    Were you charged with assault on an  
10       officer?

11          A.    No, sir.

12          Q.    Anything other than a controlled  
13       substance?

14          A.    No, sir.

15          Q.    Possession of a firearm?

16          A.    And after that I was on probation.  
17       When they put me -- took me downtown, they put me  
18       on probation for that.  And less than about four  
19       or five years later, that's when I got charged  
20       with possession of the firearm.

21          Q.    Okay.  So the possession of the firearm  
22       was a separate occasion?

23          A.    Yes, sir.

24          Q.    Okay.  I'm sorry.  You didn't have a  
25       firearm at the time of the arrest for drugs?

1           A.    No, sir.

2           Q.    Okay. Did you make any kind of  
3 complaint against the Hattiesburg Police  
4 Department related to that arrest?

5           A.    No, sir.

6           Q.    Did you file any kind of lawsuit  
7 related to that arrest?

8           A.    No, sir.

9           Q.    As I understand what you said before,  
10 after you got out of the penitentiary, you were  
11 on parole?

12          A.    No, sir. I was on probation for the  
13 possession of controlled substance. But before  
14 the sentence was up, I already -- when they put  
15 me on probation, they said they were going to  
16 "violate" me so I didn't ever go back to the  
17 juvie probation officer. So when they did catch  
18 up with me, I had a pistol and they charged me  
19 with possession of a firearm.

20          Q.    Okay. I'm trying to catch up with you  
21 just so I understand. All right. You get  
22 arrested first for the possession of a controlled  
23 substance?

24          A.    Yes, sir.

25          Q.    You don't remember what year that was,

1       though, right?

2           A.     No, sir. I don't remember what year.

3           Q.     All right. When you were arrested for  
4       that, what were you sentenced to?

5           A.     Three years probation.

6           Q.     Okay. So you didn't go to jail at that  
7       point?

8           A.     No, sir.

9           Q.     Okay. You get out and then at some  
10       point you were later arrested again, right?

11          A.     With a possession of a firearm.

12          Q.     All right. How long did that take?

13          A.     That was -- like I said, it was about  
14       four or five years after I had been on, paper.

15          Q.     Okay. So you were on probation, what  
16       you said, on, paper?

17          A.     Yes, sir.

18          Q.     For about four years?

19          A.     Yes, sir. They gave me three years,  
20       but I didn't report like I was suppose to. So  
21       when they caught me with the pills that I had,  
22       that charge plus the probation that I had  
23       violate. That's how I got nine years.

24          Q.     Okay. How did you get caught with the  
25       firearm?

1           A.     At the club, we -- one night we at the  
2 club and we got ready to leave, and we got all  
3 the guys in the car. And the police pull us over  
4 and they found a gun in my possession.

5           Q.     Okay. All right. What club were you  
6 at that night?

7           A.     It was a club on Mobile Street.

8           Q.     The same one where the drugs occurred?

9           A.     Yes, sir.

10          Q.     All right. What year was that?

11          A.     I can't remember.

12          Q.     All right. Were you driving the car or  
13 were you a passenger?

14          A.     No. I was a passenger.

15          Q.     Okay. Where were you at when you got  
16 pulled over for that?

17          A.     At the Jr Food Mart on Main Street.

18          Q.     In Hattiesburg?

19          A.     Yes, sir.

20          Q.     Okay. What agency pulled you over  
21 there?

22          A.     Hattiesburg PD.

23          Q.     What happened during that arrest?

24          A.     They asked everybody to get out the  
25 car. And then when they searched everybody, they

1 found a pistol on me. And then they take me  
2 downtown for possession of a firearm after  
3 convicted of a felony.

4 Q. Was there any type of altercation  
5 during that arrest?

6 A. No, sir.

7 Q. Do you remember who the officer was  
8 that arrested you then?

9 A. No, sir.

10 Q. Do you remember any of the officers  
11 that were present then?

12 A. No, sir.

13 Q. And so after they found -- let me ask  
14 you this way. At that point were you current  
15 with your probation or had you not followed your  
16 probation?

17 A. I hadn't followed the probation.

18 Q. Do you know if there was a warrant out  
19 for your arrest at that point?

20 A. Yes, sir.

21 Q. Okay. What was the problem with the  
22 probation, just not reporting or was there  
23 something else?

24 A. Just not reporting.

25 Q. All right. Tell me what happened after

1       you were arrested.

2           A.     They just arrested me and sent me  
3       upstairs. And then a couple days, I'd seen  
4       the --

5           Q.     When you say, upstairs, what do you  
6       mean?

7           A.     That's when the county jail had an  
8       elevator to go up to the third floor.

9           Q.     I didn't know if that meant the  
10      penitentiary or what, when you said upstairs.

11          A.     I had to go upstairs on the elevator to  
12      the third floor.

13          Q.     Okay.

14          A.     And about week or so later they took me  
15      to court and they "violate" me and then I got a  
16      lawyer with the case file on me. And then the  
17      lawyer and the DA come up -- well, they tried to  
18      get me 20 years, and they work a deal and that's  
19      when I did the nine years.

20          Q.     You were sentenced to nine?

21          A.     Uh-huh. I had the three already on  
22      probation and, you know, they give this sentence  
23      and this sentence. And when you go to the -- and  
24      they put it all together and make one sentence  
25      and made it nine years, total sentence.



1 Q. Okay. How long did you serve?

2 A. Nine years.

3 Q. So you served day for day?

4 A. At the satellite in Pascagoula.

5 Q. You didn't get any kind of early  
6 release or anything like that?

7 A. No, sir.

8 Q. All right. Other than the -- well, let  
9 me ask you this. The cocaine charge, that was a  
10 three-year sentence, so that would have been a  
11 felony?

12 A. Yes, sir.

13 Q. And then the firearm charge, were you  
14 convicted of possession of a firearm?

15 A. Yes, sir.

16 Q. So that would have been a felony?

17 A. Yes, sir.

18 Q. All right. Have you had any other type  
19 of felony arrests?

20 A. No, sir.

21 Q. Had you been arrested for anything  
22 else?

23 A. No, sir. Besides the incident just  
24 happen in 2013.

25 Q. Okay. You don't have any other

1       arrests?

2           A.    No, sir.

3           Q.    May I ask about your father?  I  
4       understand he was a retired officer.

5           A.    Yes, sir.

6           Q.    Where did he retire from?

7           A.    Perry County Sheriff's Department.

8           Q.    What year did he retire?

9           A.    Excuse me.  I don't remember what year  
10       he retired.

11          Q.    How many years was he a sheriff's  
12       deputy?

13          A.    Twenty-eight.

14          Q.    Did he do anything after he was a  
15       sheriff's deputy?

16          A.    No, sir.

17          Q.    What about before?

18          A.    Before that he worked at Dee's Tire  
19       Company.

20          Q.    In Hattiesburg?

21          A.    Yes, sir.  He worked there out of  
22       Sear's, in the mechanic shop at Sear's.  And  
23       that's the only places I remember him working at.

24          Q.    Okay.  Approximately when did he  
25       retire?

1           A.     Around -- I'm going to say 2010 or '11,  
2     to my knowledge. I'm not for sure.

3           Q.     Was he ever in the military?

4           A.     No, sir.

5           Q.     Were you ever in the military?

6           A.     No, sir.

7           Q.     All right. I asked about arrests.  
8     Have you ever had any other encounter or  
9     interaction with the Hattiesburg Police  
10    Department other than what we've discussed? In  
11    other words, did you ever come into contact with  
12    them, have any kind of bad experience with them  
13    or any kind of encounter with an officer of  
14    Hattiesburg Police Department?

15          A.     No, sir.

16          Q.     All right. The arrest for the firearm,  
17    did you make any kind of complaint with the  
18    Hattiesburg Police Department?

19          A.     No, sir.

20          Q.     Was there ever any kind of lawsuit  
21    filed with that?

22          A.     No, sir.

23          Q.     All right. I'm going to ask you about  
24    your medical history, because there's a claim for  
25    physical injuries, so I'm going to ask you about

1 your medical history. Have you ever had any type  
2 of car accident in the past?

3 A. No, sir.

4 Q. Never been involved in a car accident?

5 A. No, sir.

6 Q. All right. Have you ever been injured  
7 in any kind of way?

8 A. No, sir.

9 Q. Have you ever had any kind of surgery?

10 A. Beside my leg?

11 Q. Related to this incident?

12 A. Yes, sir.

13 Q. Any other surgeries?

14 A. No, sir.

15 Q. Have you ever had back pains?

16 A. Back pains? No, sir.

17 Q. Have you ever had neck pain?

18 A. No, sir.

19 Q. Have you ever seen a doctor for neck or  
20 back?

21 A. No, sir.

22 Q. Have you ever been to the chiropractor?

23 A. No, sir.

24 Q. If you had to go to a doctor for a  
25 cold, who would you go to?

1           A.     Forrest General emergency room.

2           Q.     You don't have like a general doctor  
3 you would go to?

4           A.     No, sir.

5           Q.     All right. When was the last time you  
6 went to Forrest General?

7           A.     I believe it was probably 2015.

8           Q.     What was the reason for that visit?

9           A.     Yes. I broke my -- back of my finger.

10          Q.     You pointed to your pinkie finger on  
11 your left hand?

12          A.     Yes, sir.

13          Q.     How did you do that?

14          A.     I was moving some furniture outside and  
15 my hand hit against the wall of the door frame,  
16 and it went -- separated out and they said it  
17 broke.

18          Q.     Any kind of surgery for that?

19          A.     No, sir. Just put a cast on.

20          Q.     All right. What about before that?  
21 Not considering this event we're here for, but  
22 what about before that?

23          A.     No, sir?

24          Q.     You haven't been to the doctor before  
25 that?

1           A.    No, sir.

2           Q.    Do you have any type of medical  
3 condition that you're on medication for?

4           A.    No, sir. I grow up with a heart murmur  
5 but that -- the doctor said I grow out of that.  
6 I don't have to do nothing.

7           Q.    Okay. You don't have diabetes, high  
8 blood pressure?

9           A.    No, sir.

10          Q.    Are you otherwise healthy today?

11          A.    Yes, sir.

12          Q.    You're not having any problems today?

13          A.    No, sir.

14          Q.    Medical problems?

15          A.    No, sir.

16               MR. DOSSETT: I'll take just a brief  
17 break.

18                       (OFF THE RECORD.)

19 BY MR. DOSSETT:

20          Q.    Wade, let me ask a couple more  
21 questions about your father. Going back, you  
22 said that evening or that day Emma  
23 C-o-l-q-u-i-t-t, I don't know how you say it --  
24 but she --

25          A.    When I was outside I was saying, I just

1 thinking --

2 MR. CARTER: Let him -- okay. I'm  
3 sorry.

4 A. -- that Emma is -- that's another Emma.  
5 That's my cousin. But the Emma what I was  
6 thinking about was Raymond's mother. Her name is  
7 Curr. I think it's spelled C-u-r-r.

8 BY MR. DOSSETT:

9 Q. Curr?

10 A. Yes, sir. That's my cousin, Emma,  
11 right there. Her name is Emma McNair, but that's  
12 her maiden name. I was just thinking about that  
13 outside.

14 Q. You gave me lots of information. Let  
15 me try to go back so I can understand what you  
16 said here. All right. That night, April 16th,  
17 2013, was your father, George, was he married at  
18 that time?

19 A. No, sir.

20 Q. Okay. He was not married?

21 A. No, sir.

22 Q. All right. The lady that he was  
23 seeing, was she at your house?

24 A. Yes, sir. Emma Curr.

25 Q. And you think you spell her last name

1 C-u-r-r?

2 A. Yes, sir.

3 Q. Okay. And is that the person you don't  
4 know where she is?

5 A. That's the person, yes, sir.

6 Q. Okay. Do you have her phone number?

7 A. No, sir.

8 Q. All right. How long has it been since  
9 you talked to her?

10 A. Since my father passed, I haven't seen  
11 her. After that, I haven't seen her.

12 Q. Okay. You don't know if she's in town  
13 or not?

14 A. No, sir.

15 Q. All right. Now, in your discovery  
16 responses you identified an Emma C-o-l-q-u-i-t-t,  
17 Colquitt?

18 A. That's my cousin, Emma.

19 Q. And her full name is Emma McNair  
20 Colquitt?

21 A. Yes, sir.

22 Q. All right. And how old is she?

23 A. Fifty-two.

24 Q. Okay. Was she at your house that day?

25 A. No, sir.



1           Q.    Okay. Does Emma Colquitt, as  
2 identified in your discovery responses, it says  
3 she was the companion of George, Sr. and was  
4 present at the scene; that's not correct?

5           A.    That's Emma Curr.

6           Q.    C-u-r-r?

7           A.    Yes, sir.

8           Q.    Okay. Does Emma Colquitt, does she  
9 known anything about what happened to you or that  
10 night?

11          A.    No, sir. She just -- she worked at the  
12 Forrest General Hospital.

13          Q.    Okay. Did she come to see either of  
14 you or your dad at the hospital?

15          A.    My dad.

16          Q.    Okay. Going back to your dad, George  
17 Wade, Sr., had he had any medical problems before  
18 this event?

19          A.    He just had -- taking blood pressure  
20 pills.

21          Q.    Anything else?

22          A.    No, sir.

23          Q.    Had he ever had a problem with his neck  
24 or back?

25          A.    No, sir.

1           Q.    Had he ever been involved in any kind  
2 of accident?

3           A.    Well, he had had a car wreck and I  
4 think that was in 2006, I believe, or 2008.

5           Q.    Do you know what he injured in that  
6 accident?

7           A.    His left leg.

8           Q.    At the time he passed in 2016, how old  
9 was he?

10          A.    Seventy-four.

11          Q.    All right. Let's go back now -- well,  
12 a couple follow ups on your dad. Was your dad  
13 ever arrested for anything?

14          A.    No, sir. Not to my knowledge.

15          Q.    Okay. Had he ever had a workers'  
16 compensation claim?

17          A.    Not to my knowledge.

18          Q.    All right. Had he ever been on Social  
19 Security disability?

20          A.    No, sir. He was just on Social  
21 Security.

22          Q.    All right. Have you ever filed a  
23 workers' compensation claim?

24          A.    No, sir.

25          Q.    All right. Have you ever been on

1 Social Security disability?

2 A. No, sir.

3 Q. All right. Had you ever filed any  
4 other kind of lawsuit?

5 A. No, sir.

6 Q. Have you ever been sued?

7 A. No, sir.

8 Q. What about your dad, had he ever filed  
9 a lawsuit?

10 A. Not to my knowledge.

11 Q. All right. Has he ever been sued?

12 A. No, sir.

13 Q. What about bankruptcy, have you ever  
14 filed bankruptcy?

15 A. No, sir.

16 Q. Do you know if your dad ever filed  
17 bankruptcy?

18 A. Not to my knowledge.

19 (OFF THE RECORD.)

20 BY MR. DOSSETT:

21 Q. Okay. Did you have any family members  
22 who lived around you on Cherry Street?

23 A. Family members? No, sir.

24 Q. All right. What about neighbors who  
25 saw anything?

1           A.    No, sir.

2           Q.    Do you ever talk to anybody, as far as  
3 a neighbor goes, who said I saw what happened  
4 that night?

5           A.    No, sir.

6           Q.    And you're not aware of anybody ever  
7 coming forward saying they saw anything?

8           A.    No, sir.

9           Q.    Have you spoken to anyone who lives in  
10 your area about this?

11          A.    No, sir.

12          Q.    Okay. All right. Let's go back to  
13 April 16th, 2013, as I understand, was when this  
14 happened. I understand it happened at 2104,  
15 that's military time. I think that's around 9:00  
16 in the evening?

17          A.    Yes, sir.

18          Q.    All right. Does that sound about  
19 right?

20          A.    I really don't recall.

21                   (OFF THE RECORD.)

22 BY MR. DOSSETT:

23          Q.    All right. That day, April 16th, had  
24 you worked that day?

25          A.    Yes, sir.

1           Q.    All right.  Where were you working at  
2   that time?

3           A.    Loresco.

4           Q.    Okay.  And what was your position at  
5   that time?

6           A.    I was -- I worked then in the warehouse  
7   stacking bags.

8           Q.    And what time did you get off work?

9           A.    5:00 o'clock.

10          Q.    Okay.  What happened after you got off  
11   work?

12          A.    I went by my father's house, picked him  
13   up and brought him to my house and told my wife  
14   to get ready, we're going to go to eat.  I took a  
15   shower and me and my father and my wife; my baby,  
16   Tavares; and Emma; we went out to eat at Golden  
17   Corral.

18                And after we come back from Golden  
19   Corral, we all went back home.  And I asked my  
20   dad was he ready to go?  He said, no.  So we sit  
21   around and they were -- well, we were starting to  
22   play cards.  That's our family thing, we play  
23   cards.

24          Q.    Okay.  Let me slow you down a little  
25   bit.  When you got off work, you went and picked

1 your father up?

2 A. Yes, sir.

3 Q. All right. You picked Emma up, as  
4 well?

5 A. My father.

6 Q. You picked Emma up with your father?

7 A. Yes, sir.

8 Q. Okay. Emma Curr?

9 A. Yes, sir.

10 Q. And you brought them to your house?

11 A. Yes, sir.

12 Q. And that was on your way home?

13 A. Yes, sir. On the way home.

14 Q. And I didn't ask you: Where is Loresco  
15 located?

16 A. On Airport Road by the same airport  
17 right beside the airport on the right.

18 Q. So that would have been close to where  
19 your father lived?

20 A. Right up the street, yes, sir.

21 (OFF THE RECORD.)

22 BY MR. DOSSETT:

23 Q. And what time did you leave to go to  
24 Golden Corral?

25 A. I'd say it was around about 6:00, 6:15.

1           Q.    Was it Golden Corral at the time or was  
2 it another restaurant?

3           A.    I believe it was Golden Corral. I'm  
4 not for sure.

5           Q.    The one in front of Walmart?

6           A.    Yes, sir.

7           Q.    And on Highway 98?

8           A.    Yes. By the same Walmart?

9           Q.    Yes, sir.

10          A.    Right there.

11          Q.    Okay. Up till that point, had you had  
12 any alcoholic beverage to drink?

13          A.    I had one drink when I got to the  
14 Golden Corral.

15          Q.    Do they serve alcohol at Golden Corral?

16          A.    No, sir. I had me a beer.

17          Q.    With you?

18          A.    Yes, sir.

19          Q.    Did you get that from your house or did  
20 you pick it up somewhere?

21          A.    At the store, when I stopped at the  
22 store to get gas, Jr Food Mart.

23          Q.    And what kind of beer was that?

24          A.    Bud Light.

25          Q.    What size?

1           A.     Sixteen ounce.

2           Q.     Okay. What time did you finish eating?

3           A.     I -- well, I really can't recall but I  
4 think we got home about 8:00, 8:15.

5           Q.     All right. Did you stop anywhere  
6 between the restaurant and your house?

7           A.     No, sir. Not that I recall, no.

8           Q.     Before you got home, had you had  
9 anything else to drink?

10          A.     No, sir.

11          Q.     All right. What time did you start  
12 playing cards?

13          A.     It was around probably about 8:30.

14          Q.     What card game were you playing?

15          A.     Tonk.

16          Q.     I haven't heard of that one.

17          A.     It's like three of a kind, like poker.

18          Q.     Okay. Who all was playing cards?

19          A.     Me and my wife and I think Gennifer was  
20 playing. Yeah. Me and my wife and Gennifer.

21          Q.     Okay. And going back, who went to the  
22 restaurant with you?

23          A.     My dad and Emma and Tavares and my  
24 wife, Susa.

25          Q.     Okay. So did y'all ride in the same



1 vehicle?

2 A. Yes, sir.

3 Q. You, your wife, your dad, and Emma?

4 A. And Tavares.

5 Q. Okay. Five of you?

6 A. Yes, sir.

7 Q. Okay. Did you meet anybody at the  
8 restaurant?

9 A. No, sir.

10 Q. All right. How long did you play  
11 cards?

12 A. Well, we really didn't -- when we  
13 started playing, me and my wife get into a little  
14 argument. So when we get into the argument, we  
15 was face to face, and I was -- when I pushed her  
16 out my face, like go on and get back. That's  
17 when George stepped in my face and me and him had  
18 a few words arguing.

19 Then that's the time my wife called the  
20 police. When she had called the police, that's  
21 when my dad stepped up and told me to go outside.  
22 And so I went outside to sit on the porch while  
23 he was in there talking to George.

24 Q. All right. Those who were playing  
25 cards, you and your wife?

1           A.     And Gennifer.

2           Q.     Just three of y'all?

3           A.     Yes, sir.

4           Q.     While you were playing cards, you and  
5 your wife got into an argument?

6           A.     Yes, sir.

7           Q.     What was the argument about?

8           A.     I really don't remember. Just  
9 something about the cards and we just start  
10 arguing and then we stood up and, as we stood up,  
11 we were face to face. And when I push her out my  
12 face, that's when George pushed up between us.  
13 And me and him start arguing, you know what I'm  
14 saying, and then we were arguing. That's when my  
15 dad told me to go outside.

16          Q.     Okay. Where were you arguing at?

17          A.     In the kitchen.

18          Q.     Is that where you were playing cards?

19          A.     Yes, sir.

20          Q.     All right. Did your wife push you back  
21 or anything like that?

22          A.     No, sir.

23          Q.     What happened after you pushed her?

24          A.     That's when George came between us.  
25 And when he came between us, me and him start

1     arguing. So when me and him start arguing,  
2     that's when my dad like pull us apart and told  
3     me, boy, go outside and sit down.

4           Q.     Did you push George?

5           A.     Huh-uh (negative response).

6           Q.     Or did he push you?

7           A.     No, sir. We were just arguing.

8           Q.     What were you arguing about?

9           A.     Told me don't put my hands on his  
10     momma.

11          Q.     And what did you say back to him?

12          A.     I tell him this is my house, you ain't  
13     grown and you don't run nothing in here, get  
14     back, you know, just like that. And, like I  
15     said, by that time my dad stepped in and that's  
16     when I went outside on my porch.

17          Q.     Your dad told you to go outside?

18          A.     Yes, sir.

19          Q.     All right. Did anybody go outside with  
20     you?

21          A.     No, sir. He was talking to George at  
22     that time. And then, after he got through  
23     talking to George -- that's the rest of the time  
24     I believe George had left, if I remember  
25     correctly, he had left.

1 Q. So he come outside and left?

2 A. Yes. Him and Gennifer had left. I  
3 think she took him somewhere to the store.

4 Q. How long were you outside?

5 A. About 30 minutes.

6 Q. What were you doing while you were  
7 outside?

8 A. Sitting on the porch.

9 Q. All right. From the time when you got  
10 outside and you were sitting on the porch, were  
11 you drinking anything?

12 A. No, sir.

13 Q. How much had you had to drink up to  
14 that point?

15 A. That one 16 ounce.

16 Q. One 16 ounce?

17 A. Uh-huh (affirmative response).

18 Q. And you did not have anything to drink  
19 after dinner?

20 A. No, sir.

21 Q. What about liquor, had you drank any  
22 kind of liquor, any kind of alcohol that day  
23 other than that one beer?

24 A. No, sir.

25 Q. All right. What about your wife?

1           A.    She don't drink.

2           Q.    All right. Did she have anything to  
3 drink that day?

4           A.    No, sir.

5           Q.    George, had he had anything to drink?

6           A.    Not to my knowledge. At the time, he  
7 shouldn't have been drinking.

8           Q.    All right. What about your father?

9           A.    He didn't drink.

10          Q.    Had he had anything to drink that day?

11          A.    No, sir.

12          Q.    As far as you're aware, the only  
13 alcohol that was consumed between those people  
14 that day was your one beer?

15          A.    Yes, sir.

16          Q.    What happened after you went outside?

17          A.    I was just sitting on the porch waiting  
18 till the police arrived.

19          Q.    Okay. Did you know the police were  
20 called?

21          A.    Yes, sir.

22          Q.    How did you know the police was called?

23          A.    I heard my wife on the phone talking to  
24 the police, and she told me she was calling the  
25 police.

1 Q. What did she say to you?

2 A. She said y'all don't fight because I'm  
3 calling the police.

4 Q. Okay. After that, what happened?

5 A. That's when I went outside. That's  
6 when my dad told me to go outside, and I went  
7 outside to sit on the porch.

8 Q. Okay. You waited on the porch for  
9 about 30 minutes?

10 A. Yes, sir.

11 Q. And then George left?

12 A. Yes, sir.

13 Q. With Gennifer?

14 A. Yes, sir.

15 Q. What happened after that?

16 A. Well, after that, the police arrived.  
17 When the police arrive -- which was Officer  
18 Breland.

19 Q. He arrived by himself?

20 A. I believe he was by himself, yes, sir.

21 Q. Okay. What happened when he arrived?

22 A. He told me to come here. And I told  
23 him come to me.

24 Q. And where was he at?

25 A. In the yard. He was standing outside

1 in my yard.

2 Q. And where were you at?

3 A. Still on the porch.

4 Q. When you say, porch, I haven't  
5 obviously seen your house. Describe what that is  
6 for me.

7 A. Well, it's like a little deck about --  
8 I'd say 10 by 10 deep with a little roof on it,  
9 no screen, no nothing. Steps come up and into  
10 the house.

11 Q. How far off the ground is it?

12 A. I'd say -- I think to this table.

13 Q. Three or four feet?

14 A. This table about three or four feet,  
15 I'd say.

16 Q. And your deck is about three or  
17 four feet?

18 A. Yes, sir.

19 Q. Was anyone else on the deck with you  
20 when the officer arrived?

21 A. My wife came outside when the police  
22 arrived and my dad, too.

23 Q. Okay. Was anyone else outside?

24 A. Not to my knowledge.

25 Q. None of your children were outside?

1           A.    No, sir.

2           Q.    Okay. And at that point George and  
3 Gennifer had left?

4           A.    Yes, sir.

5           Q.    All right. Officer Breland came and  
6 got out of his car. And was he standing by his  
7 car when he told you to come to him?

8           A.    He was in my yard. His car was parked  
9 half in the yard and half in the street, and he  
10 got out the car and he told me to come here.

11          Q.    And what did you say to him?

12          A.    Told him come to me.

13          Q.    What happened after that?

14          A.    My dad said, go see what he want. So  
15 when I got up to go towards him to see what he  
16 wanted, he asked me what's going on.

17               And I was trying to explain to him that  
18 I wasn't going to let my kids disrespect me in my  
19 house. And he just walked around and he looked  
20 at me. And, before I know it, the next thing I  
21 know, he had kicked me on my leg and slammed me  
22 to the ground and smashed my head on the  
23 concrete, rolled my face into the concrete and  
24 put the handcuffs on me.

25               That's when I heard my father say, hey,



1 man, look, showing his badge, say, I'm an officer  
2 of the law, too. That's wrong how you doing my  
3 son. And after that, he tell my dad to step  
4 back.

5 Q. Okay. Let me slow you down. Let's go  
6 back to your encounter, initial encounter.  
7 Officer Breland said that you had told him, I'm  
8 not going anywhere because I haven't done shit;  
9 is that what you said to him?

10 A. No, sir. No, sir. No, sir. I didn't  
11 say that to him.

12 Q. What did you say to him?

13 A. Like I was saying, I was trying to  
14 explain to him --

15 Q. No. Before that. I'm talking about  
16 when you were on the porch and he's in the yard,  
17 and you said, you come to me.

18 A. That's all I said, you come to me.

19 Q. You didn't say, I'm not going anywhere  
20 because I didn't do shit?

21 A. No, sir.

22 Q. What were the words you used?

23 A. I told him, you come to me. That's  
24 what I told him.

25 Q. All right. When you came down to

1       Officer Breland, where did you go?

2           A.     I walked straight to him and right in  
3       front of him in the yard.

4           Q.     All right. What did he say to you?

5           A.     He asked me what was going on. And I  
6       was telling him, I said, I wasn't going to let my  
7       children run my household and let them disrespect  
8       me in my household. And he was like that, with  
9       his hand on his chin. He was walking around and  
10      then he looked around, and then he came around  
11      towards me on the side, and he just kicked me on  
12      my leg and grabbed me and throw me to the ground.

13          Q.     Did Officer Breland ask you to come  
14      over to his car?

15          A.     No, sir.

16          Q.     He never told you to step away and come  
17      over to his car?

18          A.     Huh-uh. No, sir.

19          Q.     Did Officer Breland ever try to escort  
20      you to his car?

21          A.     No, sir.

22          Q.     All right. Did Officer Breland try to  
23      grab your hand to pull you towards his car?

24          A.     No, sir.

25          Q.     Did he ever grab your wrist?

1           A.    No, sir.

2           Q.    Officer Breland says that he tried to  
3 grab your wrist to pull you towards the car.  
4 What's your response to that?

5           A.    He didn't grab my arm, pull me nowhere.

6           Q.    Did you ever try to pull away from his  
7 grip?

8           A.    No, sir. He never gripped me.

9           Q.    After you told him you weren't going to  
10 let your kid run your household, what happened?

11          A.    That's when he kicked me.

12          Q.    He just kicked you out of the blue?

13          A.    Just out of the blue and nothing else,  
14 just kicked me on my leg, grabbed me, throw me to  
15 the ground and smashed my face into the concrete  
16 and put the handcuffs on me.

17          Q.    Where did he kick you?

18          A.    On my left leg.

19          Q.    Where at on your left leg?

20          A.    On the side where my kneecap is.

21          Q.    He kicked you near your knee?

22          A.    On the side of my kneecap, yes, sir.  
23 On the side, not in front of the knee, on the  
24 side of my kneecap.

25          Q.    What did he kick you with?

1           A.    His feet.

2           Q.    All right. Was it his left leg, right  
3 leg?

4           A.    I can't remember.

5           Q.    How did he kick you?

6           A.    He kicked me sideways like this  
7 (indicating) like kick down.

8           Q.    All right. So he kicked in a downward  
9 motion?

10          A.    Yes, sir. When he kicked me like that,  
11 he kicked down.

12          Q.    All right. Had he touched you at any  
13 point prior to that?

14          A.    No, sir.

15          Q.    He didn't grab your arm?

16          A.    No, sir.

17          Q.    Had he in any way tried to handcuff  
18 you?

19          A.    No, sir.

20          Q.    The only thing he had said to you,  
21 prior to that point was, what happened?

22          A.    Yes, sir.

23          Q.    What happened after he kicked you?

24          A.    After he kicked me and put the  
25 handcuffs on me --

1           Q.     Well, let me slow down. When he kicked  
2     you, did you go to the ground or were you still  
3     standing?

4           A.     I was still standing. When he kicked  
5     me, I was standing like that. I was like, oh,  
6     and that's when he grabbed me, throw me to the  
7     ground.

8           Q.     How did he grab you?

9           A.     Round my side with both my arms -- I  
10    didn't have no arms, hands or nothing. He had me  
11    wrapped like round -- I couldn't move my hands or  
12    nothing.

13          Q.     You're saying he bear-hugged you?

14          A.     Yes, sir.

15          Q.     Okay. Did he bear-hug you from the  
16    front or the back?

17          A.     I believe it was from the side, like on  
18    this side when he grabbed me.

19          Q.     And you're saying your left side?

20          A.     Yes, sir.

21          Q.     And he took you to the ground?

22          A.     Yes, sir.

23          Q.     All right. Were you in the yard?

24          A.     Yes, sir.

25          Q.     So you landed in the grass?

1           A.    Well, it's -- my yard is like, well, it  
2   has grass in it and dirt and the concrete is  
3   right beside on the side there.

4           Q.    But you landed in the grass, in the  
5   dirt area?

6           A.    Yes, sir. The dirt area, yes, sir.

7           Q.    All right. What happened after that?  
8   All right. Let me ask you this: When he grabbed  
9   you around your waist like that and take you to  
10  the ground, did he go to the ground, too?

11          A.    Yes, sir.

12          Q.    So y'all both fell to the ground?

13          A.    Yeah. He throw me to the ground and he  
14  was on top of me. That's when he grab my head  
15  and smashed it into the concrete like that  
16  (indicating) and throw the handcuffs on me.

17          Q.    All right. But you landed in the dirt?

18          A.    Yes, sir.

19          Q.    All right. And immediately after that,  
20  he put handcuffs on you?

21          A.    Yes, sir.

22          Q.    Did you say anything to him while this  
23  was happening?

24          A.    I couldn't say nothing. I was just  
25  hollering.

1 Q. What were you hollering?

2 A. Oh, oh, my leg is broken, it's broke.  
3 Like that.

4 Q. Referring to your left leg where he  
5 kicked you?

6 A. Yes, sir.

7 Q. All right. After he put handcuffs on  
8 you, did he touch you in any way?

9 A. No, sir.

10 Q. All right. So other than what we just  
11 discussed, was there any -- other than that, was  
12 there any physical involvement between you and  
13 Officer Breland?

14 A. No, sir.

15 Q. All right. What was it that broke your  
16 leg?

17 A. It had to be the kick. .

18 Q. All right. When he kicked you, that  
19 was the only physical interaction while you were  
20 standing? You understand, right?

21 A. Yes, sir.

22 Q. All right. That kick, is there any  
23 other physical thing that happened to your leg  
24 other than that kick?

25 A. No, sir.

1           Q.    All right. Was he holding or grabbing  
2 your wrist when he kicked you?

3           A.    No, sir.

4           Q.    Was he holding your body when he kicked  
5 you?

6           A.    No, sir.

7           Q.    Was he touching you in any way?

8           A.    No way. No, sir.

9           Q.    After you were on the ground, he didn't  
10 kick you or hit you?

11          A.    No. Just smashed my head into the  
12 concrete -- I mean, into the ground. That's all  
13 he did until he come back to put me in the car.

14          Q.    But there was no other physical  
15 interaction you had with Officer Breland?

16          A.    No, sir. Until he come out the house.

17          Q.    What happened after he came out the  
18 house?

19          A.    When he came out the house, they put me  
20 into the police patrol car. And I told him I  
21 couldn't walk, so him and the lady, the female  
22 officer stood me up and she went on the other  
23 side to pull me in the car. And, as I was  
24 getting in the car, he kicked me in my privates.

25          Q.    He kicked you in your privates?



1           A.    Yes, sir.

2           Q.    He being who?

3           A.    Officer Breland.

4           Q.    All right. How did they load you in  
5 the car?

6           A.    Him and the female officer, they put me  
7 up to the door, open the door, sit me on the  
8 seat. And she from behind pulled me up by my  
9 shoulder and, as she was pulling me in, he kicked  
10 me in my privates and throw my leg up like that  
11 and slam the door.

12          Q.    Do you know who the lady was that  
13 loaded you in the car?

14          A.    No, sir. All I know she was a short,  
15 white female with short hair. That's all I know.

16          Q.    Do you know about how old she was?

17          A.    No, sir.

18          Q.    Was anybody else that you saw standing  
19 around when this happened?

20          A.    No, sir. When they went inside the  
21 house, that's when my daughter Taneshia pulled  
22 up. And I told her to come help me up, but she  
23 was scared to come help me up, and that's the  
24 only person I'd seen. And my wife and my  
25 daughter, they were still over by the steps.

1           Q.    Other than that, was there any physical  
2 interaction between you and Officer Breland?

3           A.    No, sir.

4           Q.    Was there any other physical  
5 interaction, in other words, any contact, between  
6 you and any other officer at any point other than  
7 what you just mentioned?

8           A.    No, sir.

9           Q.    Officer Narottam Holden, did he at any  
10 point touch you?

11          A.    No, sir.

12          Q.    Did you see Officer Holden at any  
13 point?

14          A.    No, sir.

15          Q.    Did you ever speak to him?

16          A.    No, sir.

17          Q.    Did he ever speak to you?

18          A.    Not to my knowledge, no, sir.

19          Q.    And, again, Officer Holden never  
20 touched you?

21          A.    No, sir.

22          Q.    Going back to when you were laying on  
23 the ground, how were you laying on the ground?

24          A.    I was laying with my hands behind my  
25 back on my side like this to the right side.

1           Q.     Okay. At that point while you were  
2     laying on the ground, who was outside?

3           A.     When I was first on the ground when he  
4     first put the handcuffs on me, my dad was  
5     standing right there by my truck. And he told my  
6     dad to back up. Then after he told my dad to  
7     back up, all I remember him spraying him. After  
8     he sprayed him, that's when my dad stumbled back  
9     towards the house.

10           And by the time he get inside the  
11     house, that's when my daughter pulled up on the  
12     side of the house. She didn't pull in the yard,  
13     she pulled on the street. And then I called her  
14     to come help me up, but she didn't come help me  
15     up because she said the police might put her in  
16     jail.

17           Q.     And what daughter was that?

18           A.     Taneshia.

19           Q.     Taneshia.

20           A.     Yes, sir.

21           Q.     While you were on the ground, what did  
22     your dad say to the officer?

23           A.     He told him that was wrong how you was  
24     doing his son, he's a police officer, too. And  
25     by that time he told him to back up, so my dad

1 was backing up towards the truck. I remember him  
2 spraying -- I don't know if he had pulled his gun  
3 out at that point in time or nothing. I didn't  
4 really see that part. All I know I seen him  
5 spray him because that's all I seen.

6 Q. All right. You were on the ground  
7 facing the dirt?

8 A. Yes, sir.

9 Q. All right. Do you know if your dad  
10 ever touched Officer Breland?

11 A. Not to my knowledge, no, sir.

12 Q. You couldn't see behind you, could you?

13 A. I could see the view, but I didn't see  
14 my dad put his hands on Officer Breland.

15 Q. All right. If he did or didn't, you  
16 wouldn't know because you couldn't see that,  
17 correct?

18 A. I could see the view. Like I said, if  
19 he had put his hands on him, they had been  
20 tussling, I could have saw.

21 Q. I'm talking about while you were on  
22 your stomach and Officer Breland is handcuffing  
23 you, right?

24 A. Yes, sir.

25 Q. He's behind you?

1           A.    Yes, sir.

2           Q.    And your dad is also behind you?

3           A.    My dad is, yes, sir. He behind me,  
4   too.

5           Q.    All right. So what happened behind you  
6   between your dad and Officer Breland, you  
7   couldn't see that?

8           A.    No, sir. I couldn't see that, no, sir.

9           Q.    Until they moved away?

10          A.    Yes, sir.

11          Q.    So when your dad is talking to Officer  
12   Breland and Officer Breland is saying, get back,  
13   you couldn't see him at that point?

14          A.    Yes, sir. I saw him at that point.

15          Q.    All right. At what point could you see  
16   him?

17          A.    When he turned me -- when he had put  
18   the handcuffs on me and I heard him tell my dad  
19   to back up, back up. And that's when I looked  
20   like this towards the house.

21          Q.    All right. Before that point, before  
22   you said, he said back up, back up, you couldn't  
23   see or you don't know what happened?

24          A.    I don't know what went on between that  
25   time.

1 Q. Okay.

2 A. Because I was facing, my face was  
3 facing the street.

4 Q. And that's while you were being  
5 handcuffed?

6 A. Yes, sir. While he was putting  
7 handcuffs on me.

8 Q. All right. When he turned loose of you  
9 and he finished handcuffing you, what did Officer  
10 Breland do at that point?

11 A. That's when he was telling my dad to  
12 back up.

13 Q. Okay. What happened at that point?

14 A. I recall him spraying the Mace in my  
15 father's face. And after that, my father had  
16 fell, like stumble back to the truck, and I seen  
17 him going towards the house.

18 When he ran into the house, that's when  
19 my wife tried to go in there behind him to see  
20 what was wrong with him. But Officer Breland at  
21 that time had pulled his pistol and told them to  
22 stay right there, that they couldn't come inside.

23 Q. All right. Did Officer Breland pull  
24 his pistol before or after he sprayed your  
25 father?

1           A.     It had to be after because all I'd seen  
2     was him do this here (indicating). And then,  
3     after I seen him do that, he follow him to the  
4     step and I seen him turn like this here and tell  
5     my wife and them, don't y'all move, y'all can't  
6     come here.

7                     I don't know if he had the pistol going  
8     up towards the step because I couldn't really see  
9     what was in his hands after he did the spraying.

10           Q.     All right. So from the time he stood  
11     up to the time he sprayed him, you don't know if  
12     he had a gun or not?

13           A.     Not in his hand at that time, no, sir.  
14     All I remember when he -- all I seen when he got  
15     to the step, that's when he turned around with  
16     the gun towards my wife and my daughter. Like I  
17     said, I don't know if he pulled it out when he  
18     got to at that point or if he had it before he  
19     got to that point. I don't know.

20           Q.     All right. How was he holding the gun?

21           A.     He was holding it like this.

22           Q.     Straight down pointing to the ground?

23           A.     I think he was pointing it just like  
24     this in front of him, not down or not up, just  
25     straight just like this.

1           Q.     Okay. Was he pointing it at anyone in  
2 particular?

3           A.     I believe my wife and daughter.  
4 Because, like I said, they were on the corner and  
5 he was on the step. And when he turn around like  
6 this, that's when I'd seen the gun and he was  
7 talking to them. I don't know if he was pointing  
8 it direct at them, but I know he had the gun in  
9 his hand.

10          Q.     Okay. When he went up the stairs, do  
11 you know if he had the gun or not?

12          A.     That's what I said, I don't know if he  
13 had the gun. But when he was on the step and he  
14 turned around to talk to my wife and them, I seen  
15 the gun. But I don't know if he pulled the gun  
16 going up the step or if he had it on the steps.

17          Q.     All right. After he left, went beyond  
18 the steps, you don't know what he did with the  
19 gun as far as putting it back?

20          A.     No, sir. I don't know what he did with  
21 the gun, if he put it back or if he went in with  
22 it in his hand or what.

23          Q.     All right. While your dad was walking  
24 towards the house, what was Officer Breland  
25 saying to him?



1           A.    I don't remember him saying nothing to  
2 him. I didn't hear him say nothing to him. I  
3 didn't hear him say nothing to him.

4           Q.    All right. Your dad, was he saying  
5 anything while he was going towards the house?

6           A.    Not to my knowledge. I didn't hear him  
7 say anything.

8           Q.    You didn't hear anybody, anything  
9 between your dad and Officer Breland as they went  
10 towards the house?

11          A.    No, sir.

12          Q.    You don't know what any one of them  
13 said to each other?

14          A.    No, sir.

15          Q.    You don't know if Officer Breland told  
16 him to stop?

17          A.    No, I don't know.

18          Q.    You don't know if your dad said  
19 anything in response?

20          A.    No, sir.

21          Q.    Do you know why your dad was going in  
22 the house?

23          A.    To go to the bathroom and get that Mace  
24 out his eye.

25          Q.    Did he say that?

1           A.    I know that's what he went to do.

2           Q.    I understand. But did he say that?

3           A.    Oh, no, sir. He didn't say that.

4           Q.    He never said, I'm going to the  
5 bathroom to rinse my eyes?

6           A.    No, sir. He didn't never say anything.  
7 I didn't hear him say anything.

8           Q.    All right. The lawsuit that you filed  
9 said he stumbled towards the front door and  
10 then -- let's see. I'm sorry, not the lawsuit.  
11 There is a statement from Emma Curr that says he  
12 went into the house to get his ID.

13                   I'm going to show that to you here.

14           MR. CARTER: Can I see that?

15           MR. DOSSETT: We'll mark this as  
16 Exhibit 1.

17                   (EXHIBIT 1 MARKED.)

18 BY MR. DOSSETT:

19           Q.    And this is Emma Curr, this would be  
20 your dad's girlfriend?

21           A.    Yes, sir.

22           Q.    All right. You see where it says, he  
23 went in the house to get his ID?

24           A.    Yes. I see that.

25           Q.    All right. Do you know if that's why

1 he went in the house, to get his ID?

2 A. No. He already -- he had his badge in  
3 his hand so I'm sure he didn't need no ID. If he  
4 needed ID, he would have it on him because he  
5 don't stay there.

6 Q. Do you know if his ID had any name on  
7 it, as far as his name, or any personal  
8 identifier on it?

9 A. What you mean?

10 Q. His badge.

11 A. Yeah. It had George Wade and Perry  
12 County Deputy Sheriff.

13 Q. It had his name on it?

14 A. Yes, sir.

15 Q. Did he have a wallet inside the house?

16 A. No, sir. He had it in his pockets.

17 Q. So this statement about him going  
18 inside to get his ID would be incorrect?

19 A. To my knowledge, that's incorrect.

20 Q. Did you ever ask your dad why he went  
21 inside?

22 A. No, sir.

23 Q. This interaction between you and  
24 Officer Breland where he kicked you, did you ever  
25 physically resist him or push him?

1           A.    No, sir.

2           Q.    All right. Did you ever refuse to be  
3 arrested?

4           A.    No, sir. He never did say nothing  
5 about arrest.

6           Q.    All right. Did you ever hit or kick  
7 him?

8           A.    No, sir.

9           Q.    Did you ever verbally resist him, other  
10 than the statement: I'm not going to come off  
11 the porch, you come to me? Did you ever say  
12 anything to him about how you weren't going to go  
13 to jail or be arrested?

14          A.    No, sir.

15          Q.    Other than the statement that you made  
16 to him about, I'm not going to let my kids run my  
17 household, did you say anything else to him?

18          A.    No, sir.

19          Q.    Was there any other words between the  
20 two of you?

21          A.    No, sir.

22          Q.    Okay. Did you see your dad as he was  
23 going up the stairs?

24          A.    Yes, sir.

25          Q.    All right. What was he doing as he was

1 going up the stairs?

2 A. He had his hands were up to his face  
3 was all I can see and him going up the stairs.

4 Q. Officer Breland says that he saw your  
5 father reach in his waistband area; did you see  
6 that?

7 A. No, sir.

8 Q. All right. Did you see him reach in  
9 his pocket?

10 A. No, sir. Not for -- other than his  
11 wallet, before he come off the porch.

12 Q. Okay. You did see him reach for his  
13 wallet?

14 A. On the porch when he got his -- like  
15 went in his pocket and got his badge thing and  
16 was showing it to Officer Breland.

17 Q. Was that like a metal badge like a star  
18 like you see some police flip open like this?

19 A. It was round. It was round.

20 Q. Okay. Was it a metal badge or was it  
21 an ID bade like --

22 A. Like -- well, I can't really recall.  
23 All I know it had his name on it, Perry County  
24 Sheriff's Department. I know he had two of them.  
25 I don't know which one he showed to him.

1           Q.    Was it like a driver's license thing  
2           like an ID, or was it the round silver badge?  
3           You don't know?

4           A.    I don't know which one it was. All I  
5           seen him put his hand up like this and then tell  
6           him, trying to show him that.

7           Q.    All right. Did you ever hear Officer  
8           Breland say, get your hands up?

9           A.    No, sir. All I heard Officer Breland  
10          say is step back.

11          Q.    All right. As far as any conversation  
12          he had with your dad after that point, you don't  
13          know what was said?

14          A.    No. I don't know what was said, none  
15          of that. No, sir.

16          Q.    All right. And you didn't see your dad  
17          reach in his waistband?

18          A.    No, sir.

19          Q.    Did your dad have a gun on him?

20          A.    Not to my knowledge. No, sir.

21          Q.    Did you see your dad at any point that  
22          evening with a gun?

23          A.    No, sir.

24          Q.    All right. Is it a normal practice for  
25          your dad to have a gun?

1           A.    No, sir.  Not around home or nothing  
2           like that.

3           Q.    He doesn't normally carry a gun with  
4           him?

5           A.    No, sir.

6           Q.    All right.  What about any other type  
7           of weapon, does he normally keep like a knife or  
8           Mace or anything on his person?

9           A.    No, sir.

10          Q.    All right.  At that point, as they're  
11          going up the stairs, did you say you saw your  
12          father going up the stairs?

13          A.    Yes, sir.

14          Q.    All right.  How long was it before  
15          Officer Breland went up after him?

16          A.    He was going right behind him.

17          Q.    Was he chasing after him?

18          A.    Well, you can't really say that.  He  
19          was chasing -- well, they were walking fast.

20          Q.    Were they running?

21          A.    No.  They weren't running, more like  
22          walking fast but not running.  That's how they  
23          were going.

24          Q.    At that point who was outside?

25          A.    My wife, and my daughter, Rayneshia,

1 and Susa.

2 Q. Those were the only ones that were  
3 outside?

4 A. To my knowledge, yes, sir.

5 Q. All right. Who was inside?

6 A. Nobody inside. Everybody was outside  
7 and gone.

8 Q. Okay. Rayneshia, Susa were outside?

9 A. Yes, sir.

10 Q. And you said somebody had pulled up at  
11 some point, right?

12 A. That's when the officer, the officer  
13 and my father was already inside then.

14 Q. All right. But when did your other  
15 daughter pull up?

16 A. After they had went inside, that's when  
17 she pull up. I'd say about five minutes after.  
18 I'd say five minutes after they had went inside.

19 Q. Okay. All right. Officer Breland told  
20 your wife and Rayneshia not to come inside?

21 A. Yes, sir.

22 Q. What happened after that?

23 A. After that, they were all inside. I  
24 don't know what happened after that. I know I  
25 was outside in handcuffs still on the ground.



1           Q.    All right.  Who was the next person to  
2 go in the house?

3           A.    Another Hattiesburg police.

4           Q.    Do you know who that was?

5           A.    No, sir.

6           Q.    All right.  You weren't able to see him  
7 go inside?

8           A.    I see him but I didn't know who he was.  
9 I really couldn't recognize who he was.

10          Q.    You don't see any interaction between  
11 him, Officer Breland, or your father as they were  
12 inside the house?

13          A.    No, sir.  I couldn't see nothing inside  
14 the house.

15          Q.    Did you hear anything?

16          A.    I just heard my daddy hollering, oh,  
17 oh, y'all trying to kill me.  That's all I heard.

18          Q.    All right.  Did anyone else go inside  
19 the house at any point, other than those two  
20 officers, before you were carried to the car?

21          A.    Not to my knowledge.  No, sir.

22          Q.    Did you see anyone come out of the  
23 house before you went in the patrol car?

24          A.    No, sir.

25          Q.    All right.  Who came out of the house

1 first? You said you told me Officer Breland  
2 escorted you to the patrol car, right?

3 A. After he come out from the inside.

4 Q. All right. Did you see him come out  
5 the house?

6 A. Not really. I really wasn't paying no  
7 attention to it.

8 Q. All right. Did he come out of the  
9 house with your father or do you know?

10 A. I think that the other officer that  
11 went in the house had my dad by his arm with the  
12 handcuffs on. I don't know if Officer Breland  
13 had his hand on him. I know when I heard -- when  
14 I looked up and I seen him coming down the stairs  
15 -- back down the steps, and then I seen them take  
16 my dad that way to their car.

17 And Officer Breland came this way,  
18 because my truck was parked like this, they went  
19 on this side of the truck. Officer Breland came  
20 on this side of the truck, him and the other  
21 female officer, and that's when they put me in  
22 the police car.

23 Q. Did you hear anyone say anything during  
24 that time period?

25 A. No, sir.

1           Q.    Did you say anything to the officers  
2 during that period of time?

3           A.    No, sir.

4           Q.    All right. So from the time Officer  
5 Breland left you, went inside the house, came  
6 back, you didn't say anything to anyone?

7           A.    I was outside on the ground by myself.  
8 I was always by myself.

9           Q.    You didn't say anything to anybody?

10          A.    Nobody. But to my daughter to tell her  
11 to come pick me up.

12          Q.    Okay. And that was the only statement  
13 you made?

14          A.    Yes, sir.

15          Q.    Officer Breland comes back with a  
16 female officer, right?

17          A.    Yes, sir.

18          Q.    Did you say anything to them at that  
19 point?

20          A.    No, sir.

21          Q.    Did you say anything to them as they  
22 loaded you in the car?

23          A.    No, sir.

24          Q.    Did they say anything to you as they  
25 loaded you in the car?

1           A.    Officer Breland just said, get your ass  
2   in the car, like that, and that's when the female  
3   officer went around and grabbed me on my  
4   shoulder. As she was pulling, that's when he  
5   kicked me in my privates, and that was it.

6           Q.    How many times did he kick you?

7           A.    Two times. He kick me on my leg and  
8   when I went in the car, he kick me in my  
9   privates.

10          Q.    Was there anyone else standing around  
11   at that point?

12          A.    No, sir. Not to my knowledge.

13          Q.    Did you say anything at that point?

14          A.    No, sir.

15          Q.    Did you scream?

16          A.    No, sir.

17          Q.    So you got into the car and the door  
18   was shut, and you didn't say anything else other  
19   than that statement to your daughter?

20          A.    No, sir. I didn't say nothing else.

21          Q.    While you were on the ground, did you  
22   hear anyone say, no, Poppa?

23          A.    I believe that was Rayneshia.

24          Q.    All right. Why was she saying, no,  
25   Poppa?

1           A.    I don't know. I don't really recall.  
2    I heard her say that, though.

3           Q.    All right. Rayneshia called your  
4    father, Poppa?

5           A.    All my children call him Poppa.

6           Q.    Did you hear them say anything else to  
7    your dad?

8           A.    The kids? No, sir.

9           Q.    Did you hear Officer Breland say  
10   anything to them?

11          A.    No, sir. Other than, don't come  
12   inside, you can't come inside.

13          Q.    Okay. When they said, no, Poppa, were  
14   you on the ground and Officer Breland was with  
15   you?

16          A.    No, sir. They were already going into  
17   the house then.

18          Q.    They were going -- your dad was going  
19   in the house, Officer Breland was following him,  
20   and that's when they said, no, Poppa?

21          A.    Yes, sir.

22          Q.    Okay. How many times did they say it?

23          A.    I just heard her say it one time.

24          Q.    Did you see your father as he exited  
25   the house?

1           A.     Did he come out the house or he went in  
2     the house?

3           Q.     When he came out, when he was  
4     handcuffed, did you see that?

5           A.     I seen him, yes, sir.

6           Q.     All right. Did he walk straight to the  
7     patrol car?

8           A.     They were holding him up. The officers  
9     were holding him, took him to the car.

10          Q.     Was he walking on his feet?

11          A.     They was like dragging him. He wasn't  
12     like he was respond -- like he was knocked out.  
13     He wasn't walking on his own.

14          Q.     All right. Were they carrying him?

15          A.     Yes, sir. Under his arm like this.

16          Q.     Did you see them at any point hit or  
17     kick your father?

18          A.     No, sir. I never see nobody put hands  
19     on him.

20          Q.     All right. Did you see him as they  
21     loaded him in the patrol car?

22          A.     I seen him, yes, sir.

23          Q.     How did they load him in the car?

24          A.     Well, I seen him after they -- like I  
25     said, after they come down the stairs with him,

1       when they got between me and the truck, I  
2       couldn't see him no more. All I seen when he was  
3       coming down the stairs, they had -- the officers  
4       had him like this and he had his head down.

5               I don't know what car he got into  
6       because, like I said, my vehicle was right here  
7       and that vehicle separate me and him.

8           Q.     And you didn't see anybody lay hands on  
9       him during that process?

10          A.     No, sir.

11          Q.     Did you hear your dad say anything  
12       while he was outside?

13          A.     No, sir.

14          Q.     Did you hear anybody say anything to  
15       him while he was outside?

16          A.     No, sir.

17          Q.     When they came out the house, you  
18       didn't hear him?

19          A.     No, sir. I didn't hear nothing, no,  
20       sir.

21          Q.     Okay. Has anyone told you that they  
22       took pictures or a video of this?

23          A.     Not during the actual activity, no,  
24       sir.

25          Q.     What pictures or videos are you aware

1 of?

2 A. No video. I just seen pictures where  
3 my wife and children took pictures of the  
4 bathroom, how bloody it was. Other than that --  
5 and pictures of how my dad's face was. Other  
6 than that, that's all I seen.

7 Q. Who has pictures of the bad condition  
8 of the bathroom?

9 A. I think my daughter should have those  
10 pictures.

11 Q. Which daughter?

12 A. Rayneshia.

13 Q. All right.

14 MR. DOSSETT: And we would ask that  
15 those be produced.

16 MR. CARTER: I thought I produced them  
17 but, if not -- I thought I had a copy.

18 MR. DOSSETT: I'm got pictures, copies  
19 of some pictures, but they are black and  
20 white and I can't --

21 MR. CARTER: You can't tell. Okay.  
22 I'll make sure I get some color photos to you  
23 by next week.

24 BY MR. DOSSETT:

25 Q. When was the last time you saw those



1 pictures?

2 A. When I got out. When I came back home,  
3 about a week.

4 Q. What happened to you after you were put  
5 in the patrol car?

6 A. They took me down to the police  
7 station. They throw me out on the side of the  
8 car, and the officer come out there. And I know  
9 it was a female officer, booking officer, come  
10 out there. And I was hollering and holding my  
11 leg. She looked at my leg and moved my leg and  
12 moved my feet -- my feet, and said, do that hurt?

13 I said, yes, ma'am, I think it broke  
14 and they won't take me to the hospital.

15 And that's when she told the  
16 Hattiesburg police they were going to have to  
17 take me to the hospital, they wouldn't accept me  
18 like that. So that's when they called the  
19 ambulance, and the ambulance took me to Forrest  
20 General. And Forrest General said it was a real  
21 bad sprain.

22 So after that, they took me back to the  
23 jail. And then they wouldn't let me bond out or  
24 nothing. That's when Reverend Fairley got in  
25 touch with the lawyer and their lawyers called

1 and they let me out.

2 And when the lawyer -- when I got out,  
3 that's when I went to Methodist Hospital and they  
4 said I needed surgery. And that's when they sent  
5 me to Southern Bone & Joint.

6 MR. DOSSETT: I'll take a break right  
7 there.

8 (OFF THE RECORD.)

9 BY MR. DOSSETT:

10 Q. Wade, you gave me a lot of information  
11 in that last answer and I had not heard of  
12 before, so let me go back to it. You went to the  
13 jail, Forrest County jail, and they assessed you,  
14 right?

15 A. Yes, sir.

16 Q. And at that point an ambulance was  
17 called?

18 A. Yes, sir.

19 Q. Did you see your father while you were  
20 there in south Port?

21 A. They took him straight to the hospital  
22 from the house. For what reason, I don't know.

23 Q. Okay. So you never saw your dad at the  
24 jail?

25 A. I seen him when I come back from the

1 hospital. They brought him in -- after I left  
2 the hospital and come back to the jail, that's  
3 when they brought him into the jail.

4 Q. Okay. You didn't see him when you --

5 A. I was --

6 Q. Initially when you were at the jail,  
7 you didn't see him there?

8 A. No, sir.

9 Q. All right. You get in an ambulance and  
10 they take you to Forrest General Hospital?

11 A. Yes, sir.

12 Q. While you were in the ambulance, did an  
13 officer ride with you?

14 A. No, sir. Not to my knowledge. I don't  
15 remember.

16 Q. What happened once you got to Forrest  
17 General?

18 A. When I got to Forrest General they took  
19 me in, you know, the emergency room. And then  
20 after I went in the back, that's when Officer  
21 Breland was back there. I guess he was  
22 patrolling, whatever you call it. And by  
23 30 minutes later another officer came and Officer  
24 Breland left, and that officer stay there. And  
25 then, when they got through with me at Forrest

1       General, that's when they took me back to the  
2       county jail.

3           Q.     Okay. So you went to the emergency  
4       room and they carried you to the back, I guess,  
5       to run x-rays?

6           A.     Yes, sir.

7           Q.     What did the doctor say to you?

8           A.     He said it was a bad sprain.

9           Q.     In your ankle?

10          A.     In my leg, in my knee.

11          Q.     A bad sprain in your left knee?

12          A.     Yes, sir.

13          Q.     Was that all the doctor said to you?

14          A.     Yes, sir.

15          Q.     All right. What happened after that,  
16       as far as where did you go?

17          A.     After they put a -- cover on my leg and  
18       gave me some crutches. And that's when I went  
19       back to the county jail and, after that, they  
20       booked me into the county jail.

21          Q.     All right. How did you get to the  
22       county jail?

23          A.     Back in the police -- with the police  
24       that was patrolling when Officer Breland left.

25          Q.     Not the officer in this case?

1           A.    No, no. It was another officer that  
2 came to relieve him.

3           Q.    Not the one that was at your house?

4           A.    Yeah. He was nowhere around our house  
5 or nothing like that.

6           Q.    All right. While you were at Forrest  
7 General, did anyone tell you you needed surgery?

8           A.    No, sir.

9           Q.    Did they tell you you had a broken  
10 bone?

11          A.    No, sir.

12          Q.    Okay. And then you went back to  
13 Forrest County jail and was booked?

14          A.    Yes, sir.

15          Q.    Do you know what charge you were booked  
16 on?

17          A.    I know it was resisting arrest and  
18 that's all I remember, resisting arrest. But I  
19 think it was like more charges, but I never did  
20 know what those charges were.

21          Q.    When you got back to the jail, did you  
22 see your father at that point?

23          A.    About an hour later, he had came into  
24 the cell.

25          Q.    The same cell you were in?

1           A.    Well, the new jail they got -- if  
2   you're -- you have to come through that door to  
3   go through to another cell. But he was in a  
4   separate cell.

5           Q.    Was this at the new jail then?

6           A.    Yes, sir.

7           Q.    So your father came in about an hour  
8   later, but he was in a separate cell?

9           A.    Yes, sir.

10          Q.    Could you see him?

11          A.    Yes, sir.

12          Q.    Could you talk to him?

13          A.    Yes, sir.

14          Q.    All right. How long were you at  
15   Forrest General?

16          A.    Around I'd say about between  
17   hour-and-a-half and two.

18          Q.    Do you know what time you got to the  
19   jail?

20          A.    No, sir. I don't remember.

21          Q.    All right. Did you talk to your dad?

22          A.    At the hospital?

23          Q.    At the jail.

24          A.    Yes, sir. When he came in, I talked to  
25   him.

1 Q. What did y'all say?

2 A. I asked him is he all right and he  
3 said, yes. That's when I'd seen the stitches and  
4 stuff on his eye and right there.

5 Q. You're referring to your right eye?

6 A. I don't remember which side it was.  
7 I'm just using my right hand. Like I said, I  
8 seen the stitches but I don't remember what side  
9 it was on. And I ask him was he all right. And  
10 he said his back was hurting him and his neck was  
11 hurting.

12 And by that time the jailer was -- him  
13 and my daddy I think had went to the academy  
14 together. That's when they came out there and  
15 move my dad over to another cell where they were  
16 talking. And next day, my dad, they had let him  
17 out. But they wouldn't let me bond out until I  
18 got out that Friday.

19 And I told my wife to take me back to  
20 the --

21 Q. Well, hold on, before you go further.  
22 Why did they let your dad bond out?

23 A. Why they let him bond out?

24 Q. Yeah.

25 A. I don't know why they let him out. He

1 talk to the jailer. I don't know -- see, I don't  
2 know why they wouldn't let me bond out, but they  
3 let him bond out. They said I had to see the  
4 judge which was going to be on that Friday.  
5 And -- but when my dad got out, he went on home.

6 And that's when my wife called Kenneth  
7 Fairley and Kenneth Fairley called the lawyer and  
8 they let me out the next day.

9 Q. All right. What day were you arrested  
10 on or what night? I should say.

11 A. I believe that was a Wednesday if I'm  
12 not mistaken.

13 Q. On Wednesday night?

14 A. Yes, sir.

15 Q. And so you get into the jail that  
16 night, right?

17 A. Yes, sir.

18 Q. All right. The following day that's  
19 Thursday, you think?

20 A. Yes, sir.

21 Q. And your dad gets out that day?

22 A. Yes, sir.

23 Q. But they told you you had to wait to  
24 see the judge?

25 A. Yes, sir.



1           Q.    All right.  And who called Kenneth  
2 Fairley?

3           A.    My uncle which is a pastor, Reverend  
4 Perry Wade, called the Reverend Kenneth Fairley.  
5 And Reverend Kenneth Fairley called the attorney  
6 and whatever the attorney told the jailer.

7           Q.    What attorney?

8           THE WITNESS:  I think it was you?  
9 Reverend Fairley called you?

10          MR. CARTER:  I don't know.  I don't  
11 recall.

12          THE WITNESS:  I don't know which  
13 attorney.  But he told me he had called his  
14 lawyer and I'll be out that day.  So whomever  
15 the attorney my uncle called, they -- him and  
16 Kenneth Fairley, I got out anyway.  That's  
17 how I know I got out of jail.

18 BY MR. DOSSETT:

19          Q.    Did you ever see a judge?

20          A.    No sir.  I didn't get a chance to see  
21 the judge because I was supposed to see the judge  
22 on Friday.  I got out on Thursday, the next day.

23          Q.    The same day your dad got out?

24          A.    No.  I got out a day after my dad.  So  
25 it might have been on Friday morning I got out.

1           I know my daddy got out. It might have  
2       been a Tuesday because I know -- he got out that  
3       day and the next day I got out.

4           Q.    You went one additional day than your  
5       dad?

6           A.    Yes, sir. I don't know it was that  
7       Friday because I was suppose to be seeing the  
8       judge that Friday. But I got out before that  
9       Friday. I didn't see the judge so that had to be  
10      Tuesday -- that Wednesday, I believe.

11          Q.    Did you ever see a lawyer or talk to a  
12      lawyer while you were in jail?

13          A.    No, sir.

14          Q.    And you don't who it was that Kenneth  
15      Fairley called?

16          A.    No, sir.

17          Q.    Did you know Kenneth Fairley?

18          A.    Yes, sir. I know him.

19          Q.    How did you know him?

20          A.    By him being pastor and he was with the  
21      kids that played -- by the City baseball,  
22      basketball and football, and my son played in  
23      that league with them.

24          Q.    Okay. Did you go to Mount Carmel?

25          A.    No, sir. I go to Sweet Perry.

1 Q. Where?

2 A. Sweet Perry Mission Baptist Church.

3 Q. After you got out and went home, what  
4 happened?

5 A. I couldn't stand up. I couldn't walk  
6 so I told my wife that --

7 Q. What was the reason -- I don't want to  
8 put words in your mouth, but why couldn't you  
9 walk?

10 A. Because I know my leg was broke.

11 Q. Your left leg?

12 A. Yes, sir. And I couldn't put no  
13 pressure on it. I know it was more than a  
14 sprain. That's when I said to take me to Wesley  
15 because Forrest, I don't think they did a pretty  
16 good job.

17 Q. While you were at Forrest General,  
18 though, they did an x-ray?

19 A. Yes, sir. I believe they did an x-ray.

20 Q. What did they x-ray, the left foot?

21 A. Yes, sir.

22 Q. Did they take any other x-rays?

23 A. No, sir.

24 Q. They didn't take any kind of MRI of  
25 your head or anything like that?

1           A.    No, sir.

2           Q.    Did you get any stitches at Forrest  
3 General?

4           A.    No, sir. I didn't get nothing at  
5 Forrest General.

6           Q.    Did they put any kind of wrap on your  
7 leg?

8           A.    Not -- no wrap, just one of them -- one  
9 of them things, you know, like you fold up with a  
10 little zip.

11          Q.    Like a brace?

12          A.    Like a brace, yes, sir.

13          Q.    All right. How long were you out  
14 before you went to Wesley Medical Center?

15          A.    I went that same evening I got out. I  
16 think that was on a Thursday. I went that  
17 Thursday and then they took me back there and did  
18 x-rays and said I had to have immediate surgery.

19                And they sent me from there straight to  
20 Urgent Care -- not Urgent Care, the Southern Bone  
21 & Joint. So when I got to Southern Bone & Joint,  
22 the doctor came in, Dr. Kosko, I think was his  
23 name. And he was saying I had -- they were going  
24 to have to reconstruct my knee because it is  
25 shattered.

1                   And then he called another doctor in,  
2                   which was Dr. Nipper, and he looked at it. And  
3                   after he looked at it, I went -- I mean,  
4                   downstairs for an MRI or whatever they call it.  
5                   And then that's when he did the surgery the next  
6                   day.

7                   Q.     Was that within a week of the arrest?

8                   A.     That was the same week.

9                   Q.     Same week?

10                  A.     Yes, sir.

11                  Q.     And where was your surgery performed  
12                  at?

13                  A.     At Southern Bone & Joint.

14                  Q.     So you go to Wesley and they sent you  
15                  to Southern Bone?

16                  A.     Yes, sir.

17                  Q.     How long between the time you went to  
18                  Wesley and Southern Bone?

19                  A.     When I left Wesley, I had went home.  
20                  Because when he said go to Southern Bone & Joint,  
21                  I didn't think he was talking about go right now.  
22                  So when I called Southern Bone & Joint to see  
23                  what was my appointment, and they said you  
24                  suppose to be in here at such and such a time.  
25                  Come now.

1           So I think I was supposed to be there  
2     like 10:30, 11:30, but I got there about 2:00.  
3     And when I got there, that's when they took me to  
4     the doctor, and he was the one that looked at it.

5           And after, they did x-ray and he  
6     brought Dr. Nipper. And Dr. Nipper told me that  
7     they were going to have to reconstruct my knee,  
8     and he would be the doctor doing the surgery.  
9     And that's when I went on from there.

10          Q.     Did you go home after that?

11          A.     Yes, sir -- after surgery?

12          Q.     I mean, you go to Southern Bone &  
13     Joint, did they do surgery that same day?

14          A.     Yes. They did surgery the same day.

15          Q.     So you didn't go home, you went from  
16     Wesley to Southern Bone and then they did surgery  
17     that day?

18          A.     Yes, sir.

19          Q.     All right. And did they send you home  
20     that day?

21          A.     Yes, sir. After surgery?

22          Q.     Uh-huh.

23          A.     Yes, sir.

24          Q.     All right. We discussed Forrest  
25     General on that day that you were arrested. And

1       then Wesley the day that you were released; is  
2       that right?

3           A.     Yes, sir.

4           Q.     And then Southern Bone & Joint. Did  
5       you go to any other doctors during that time  
6       period?

7           A.     What you mean, before I had surgery or  
8       after I had surgery?

9           Q.     Before you had surgery.

10          A.     No, sir. After Wesley, that was the  
11       last one. I went to them and then I went to  
12       Southern Bone & Joint.

13          Q.     All right. So from the time you were  
14       arrested and your encounter with Officer Breland,  
15       to the time you had surgery, did anything happen  
16       to your knee?

17          A.     No, sir.

18          Q.     Did you have any type of injury to it  
19       as far as or additional type of injury to your  
20       knee?

21          A.     No, sir.

22          Q.     After your surgery, tell me what  
23       happened medically.

24          A.     After my surgery, I went home. After I  
25       went home, it was about a week, week-and-a-half,

1 and then they said I have to start going to  
2 therapy. I start going to therapy twice a week,  
3 either Monday and Wednesday or Wednesday and  
4 Friday so I rotate. One week, Monday, Wednesday,  
5 and then the next week Wednesday and Friday.

6 Q. How long did that last?

7 A. About three months. After about two  
8 visits, that's when they took the staples out and  
9 that's when I was -- still was going to therapy  
10 for about two months.

11 Q. And you do anything after physical  
12 therapy?

13 A. They let me go home.

14 Q. And you went to see your doctor at  
15 Southern Bone & Joint?

16 A. Yes, sir.

17 Q. Where did you do physical therapy at?

18 A. Southern Bone & Joint.

19 Q. All right. Did you go anywhere else  
20 other than that?

21 A. No, sir. I went there for therapy and  
22 there for the surgery.

23 Q. All right. Was there any other doctor  
24 you saw after that for your leg?

25 A. No. Dr. Nipper, that was the same



1 doctor.

2 Q. Okay. No other doctor?

3 A. No, sir.

4 Q. Up to today, have you seen any other  
5 doctor for your leg?

6 A. No, sir.

7 Q. All right. Have you seen, other than  
8 the doctors we have discussed, have you seen any  
9 other doctors for anything related to this event?

10 A. No, sir.

11 Q. All right. Other than the surgery on  
12 your leg, did you have any kind of treatment for  
13 anything else?

14 A. Yeah. After I'd say about -- I'd say  
15 about a good two months after, feeling come back  
16 into my leg, and I started trying to stand up on  
17 it. As I started standing up on it, I discovered  
18 that around my ankle part was hurt bad and I  
19 couldn't put no pressure on my feet.

20 So after that, I went back to Southern  
21 Bone & Joint and they ran an MRI on my feet and  
22 discovered my feet was also broke and that's when  
23 I got the boot to put on my feet.

24 Q. Where was your foot broke?

25 A. Around up around my ankle part or right

1       there.

2           Q.     On your left leg?

3           A.     Yes, sir. The same leg.

4           Q.     All right. When you say that you were  
5       kicked, where were you kicked? Where was the  
6       contact made?

7           A.     Like right here.

8           Q.     You're pointing to your left knee?

9           A.     Yes, sir. Right there.

10          Q.     All right. You weren't kicked in your  
11       ankle?

12          A.     No, sir. There was no kick on my  
13       ankle.

14          Q.     Okay. After you -- they say you had a  
15       problem with your ankle, they put a boot on you?

16          A.     Yes, sir.

17          Q.     At Southern Bone & Joint?

18          A.     Yes, sir.

19          Q.     Did you have any kind of surgery for  
20       that?

21          A.     Not for that. He said it was like a  
22       hairline -- broken and put that boot on and keep  
23       my leg elevated up.

24          Q.     Did you do any physical therapy for  
25       your ankle?

1           A.     Just for my leg.

2           Q.     All right. How long after your knee  
3 surgery did you go see someone for your ankle?

4           A.     About a month or two.

5           Q.     All right. Anything else, other than  
6 your ankle, that you received treatment for?

7           A.     No, sir.

8           Q.     Who was your doctor for your ankle?

9           A.     The same, Dr. Nipper.

10          Q.     All right. Can I see your scar that  
11 you got from your surgery?

12          A.     (Witness complies.)

13                 And there's a plate from there to  
14 there.

15          Q.     What I'm looking at is a scar that  
16 starts on the left of the left leg and it extends  
17 below the kneecap to the shinbone about six to  
18 seven inches; is that correct?

19          A.     Yes, sir.

20          Q.     And that scar that you have there, you  
21 didn't have a scar, right, before?

22          A.     No, sir.

23          Q.     Do you have any other scars on either  
24 of your legs?

25          A.     No, sir. Never had a broken bone in a

1 day in my life until this.

2 Q. And you said you have a plate in your  
3 leg?

4 A. Yes, sir.

5 Q. What was the purpose of the plate?

6 A. The bone that was shattered is on the  
7 top and screws in it, three -- I think it's six  
8 screws.

9 Q. So the bone that they fixed was a  
10 shinbone?

11 A. I think so.

12 Q. It wasn't anything inside the kneecap,  
13 right?

14 A. They said something about the kneecap.  
15 I can't recall what he said about it, but it's in  
16 the doctor's report. That's why he didn't cut it  
17 on top of the knee. He went around and went up  
18 under the kneecap and connected something with  
19 the screws to the shinbone.

20 Q. Okay. Did you have medical insurance?

21 A. Yes, sir.

22 Q. Who was your medical insurance through?

23 A. At that time it was United Health Care.

24 Q. Was that through your employer?

25 A. Yes, sir.

1           MR. DOSSETT: We would ask that if  
2           there's any kind of medical lien, that you  
3           produce any kind of medical lien to us.

4           MR. CARTER: Okay.

5 BY MR. DOSSETT:

6           Q.    Have you ever seen a medical lien? Do  
7           you know what I mean? Have you seen any  
8           statement saying they are asserting a lien?

9           A.    No, sir. All I know is that I pay  
10          Southern Bone & Joint every month and that's all  
11          the statement I get.

12          Q.    Do you know how much the total of your  
13          medical expenses are?

14          A.    Not offhand. But right now, as we have  
15          been paying them, there's still 14,300- and  
16          something dollars that I just pay \$45 a month,  
17          though.

18          Q.    Did your medical insurance pay some of  
19          the bills?

20          A.    Yes, sir. They paid some of it, but  
21          like on the MRI, I had to pay cash money for  
22          that. And I had to borrow that money from my  
23          boss man to pay that.

24          Q.    Did you miss any work?

25          A.    I was off from that day it happened to

1 November.

2 Q. You didn't work --

3 A. From April.

4 Q. -- from April to November?

5 A. Yes, sir.

6 Q. How much did you make a year?

7 A. Well, at that time I was making like  
8 \$13 an hour.

9 Q. How much was your monthly take home or  
10 net, gross or net? How much was your pay check?

11 A. It was about like -- see, I really  
12 can't base it on that, what you just ask me.  
13 Because we work like contract work and, if I work  
14 eight hours on what we normally work, but after  
15 5:00, it's contract work they call it. But it  
16 still -- they put the check together, as regular  
17 hour and contract, they all put it all together.  
18 So some pay period I might make \$1,500, some pay  
19 periods I might make \$1,100, some pay periods I  
20 might make \$1,000. It just depends on what we do  
21 on contract.

22 Q. How long is the pay period?

23 A. We get paid on the 1st and the 16th.

24 Q. Twice a month?

25 A. Yes, sir.

1 Q. So your normal take home pay would be  
2 anywhere from 2000 to 2,500?

3 A. Yes, sir.

4 MR. CARTER: Like what you're saying,  
5 are you talking about a month or pay period  
6 or every two weeks?

7 BY MR. DOSSETT:

8 Q. A month.

9 A. One month?

10 Q. Yeah.

11 A. Yeah. That's about right.

12 Q. As far as vacation time or work time,  
13 were you paid during that period of time from  
14 April to November?

15 A. No, sir. I would get paid -- say like  
16 you get ten days a year for vacation and you get  
17 ten days a year for sick leave. After I had used  
18 my ten days vacation and my ten days sick leave,  
19 it was -- I no longer could get no more money  
20 from my job because it didn't happen on the job.

21 That's when I had to take and go into  
22 my 401K to balance out my bills during that time.  
23 Then I also had to sell one of my vehicles to  
24 keep my bills paid. And then that's how I made  
25 it, out of the money from my 401K and selling one

1 of my vehicles.

2 Q. Were you on any kind of medications  
3 during this period of time?

4 A. They gave me some pain medicine.

5 Q. Do you remember what it was?

6 A. It was some Lortabs 10 and Ibuprofen.

7 Q. Any other medication you took?

8 A. No, sir.

9 Q. All right. How long were you on pain  
10 medication?

11 A. When I ran out -- they gave me 60, and  
12 I take it one or sometimes two a day, depending  
13 on the pain.

14 Q. You still take them?

15 A. Oh no. I was through taking them.  
16 After I took them 60 but I went back and --

17 Q. I'm just trying to get a time period,  
18 you're giving me a number. What month did you  
19 quit taking pain pills?

20 A. I get them -- about May, I didn't take  
21 no more medication.

22 Q. All right. And you're not taking any  
23 medications today?

24 A. Nothing but Ibuprofen and Tylenol that  
25 I take, like it rain or get cloudy and it hurt so



1 bad, that's what I take and just rubbing it with  
2 alcohol and heat pad.

3 Q. But on a normal day you don't take  
4 anything else?

5 A. No, sir.

6 Q. Who is Dr. Frederick Martin?

7 A. Excuse me?

8 Q. Dr. Frederick Martin, do you know who  
9 that is?

10 A. I don't know who that is.

11 Q. Officer Mark Benny, Zac Roth, Danielle  
12 Lewis, do you know what they know or have you  
13 ever talked to them?

14 A. No, sir.

15 Q. What about your father's medical  
16 condition, have you ever seen any of his medical  
17 records?

18 A. Have I seen them? Yes, sir. I look at  
19 them.

20 Q. What treatment, if any, did he have?

21 A. He just, like I said, he just took  
22 blood pressure pills --

23 Q. Related to the incident. What  
24 treatments did he have?

25 A. Oh, he just follow up back and forth

1 with the doctors. What kind of medication he was  
2 on or something?

3 Q. Do you know what kind of injuries he  
4 had, if any?

5 A. All, like I said, all I seen was the  
6 stitches under his eye, and he said something  
7 about his vertebra in his back and his neck. And  
8 that's all I know was what the doctor said.

9 Q. He was treated at Forrest General?

10 A. Yes, sir.

11 Q. All right. They put stitches in his  
12 eye?

13 A. Yes, sir.

14 Q. And did he go anywhere else after that?

15 A. He follow up with his doctor,  
16 Dr. Lovitt, every month in Petal but, as far as  
17 going back to Forrest General, he didn't go back  
18 there.

19 Q. He didn't go anywhere other than,  
20 Dr. Lovitt?

21 A. Yes, sir.

22 Q. What was wrong, other than his eye  
23 where you said he had stitches, anything else?

24 A. Just his back was hurting and his neck.

25 Q. But you don't know what specifically he

1 had?

2 A. No, sir.

3 Q. Do you know if your dad was on  
4 Medicare?

5 A. Yes, sir. He was on Medicare and  
6 Medicaid. I believe he was on both of them.

7 MR. DOSSETT: Ottawa, do you know if  
8 you requested any type of Medicare lien?

9 MR. CARTER: I don't think I have.

10 MR. DOSSETT: All right. And, if you  
11 did, we'll request a copy of any type of  
12 Medicare lien.

13 BY MR. DOSSETT:

14 Q. Did any of the officers take any of  
15 your property at any point?

16 A. No, sir. They took it at the jail.

17 Q. All right. Was there any type of  
18 search that you felt was inappropriate?

19 A. No, sir.

20 Q. Okay. As far as your father is  
21 concerned, are you aware of any type of search  
22 that was inappropriate?

23 A. I didn't -- I can't recall.

24 Q. You don't have any facts or knowledge  
25 of an inappropriate search on him?

1           A.    No, sir.

2           Q.    Or seizures as far as property is  
3 concerned?

4           A.    All I know, I never received his badge  
5 back.

6           Q.    Do you know if he got it?

7           A.    He didn't have it. He asked me did  
8 I -- they didn't give it back to him with his  
9 property.

10          Q.    You don't know where it was located or  
11 who took it?

12          A.    No, sir.

13          Q.    He never told you who took it?

14          A.    No, sir.

15          Q.    In other words, you don't know if it  
16 was taken at the jail or who took it?

17          A.    No, sir. I don't know if the police  
18 took it or if they took it at the jail or --

19          Q.    Okay. Who is Danielle Lewis? Do you  
20 know who that is?

21          A.    Danielle Lewis?

22          Q.    Uh-huh.

23          A.    No, sir.

24                       (EXHIBIT 2 MARKED.)

25 BY MR. DOSSETT:

1           Q.    I'm going to show you a statement we'll  
2 mark as Exhibit 2. It says, on 4/16/2013 at  
3 approximately 2230 hours while at the hospital  
4 with 10-95, George Wade, Sr., Wade told hospital  
5 staff he had pain in his back. When they asked  
6 about the back pain, Wade stated he had hurt it  
7 around 1530 hours while doing work at home and  
8 had nothing to do with altercation at 1500 Cherry  
9 Street. End statement.

10               Did your father ever tell you he had  
11 hurt his back at home?

12           A.    No, sir. He wouldn't be doing no work  
13 at home.

14           Q.    Why do you say that?

15           A.    I know he wouldn't be doing no work,  
16 because he stay in an apartment, and he didn't  
17 have nothing to do at home, no kind of work.

18           Q.    He never told you that he hurt his back  
19 at home?

20           A.    No, sir.

21           Q.    And you don't know who Danielle Lewis  
22 is?

23           A.    No, sir.

24               MR. DOSSETT: Off the record.

25               (OFF THE RECORD.)

1 BY MR. DOSSETT:

2 Q. While you were at the hospital at  
3 Forrest General, did they treat you for anything  
4 other than your leg?

5 A. No, sir. Not to my knowledge. No,  
6 sir.

7 Q. They didn't scan your head, did they?

8 A. No, sir.

9 Q. They didn't give you any stitches on  
10 your head?

11 A. No, sir.

12 Q. When I say scan, they didn't do an  
13 x-ray or any kind of radiological stuff?

14 A. No, sir.

15 Q. Did they look at your private parts?

16 A. No, sir.

17 Q. Did you complain about any injury to  
18 your private parts?

19 A. No, sir.

20 Q. You didn't say anything to your doctor  
21 about being kicked?

22 A. In my private parts, no, sir.

23 Q. Did you say anything to your doctor  
24 about your head?

25 A. No, sir.

1           Q.    All right.  When you went to Wesley  
2   Medical Center, did you say anything to them  
3   about your private parts?

4           A.    No, sir.

5           Q.    When I say, private parts, obviously  
6   I'm using a general reference to between your  
7   legs.

8           A.    Yes, sir.

9           Q.    All right.  Did you say anything to  
10   Wesley about your head?

11          A.    No, sir.

12          Q.    Did you file any type of complaint with  
13   the Hattiesburg Police Department?

14          A.    Not to my knowledge.

15          Q.    Did you ever call Hattiesburg Police  
16   Department and say Officer Breland used excessive  
17   force on me?

18          A.    No, sir.

19          Q.    Did you ever write them a letter and  
20   say Officer Breland used excessive force on me?

21          A.    No, sir.

22          Q.    Did you contact the Hattiesburg Police  
23   Department or their Chief or anyone, other than  
24   your attorney, and tell them they did something  
25   wrong to you?

1           A.    No, sir.

2           Q.    Are you aware of your father contacting  
3           Hattiesburg Police Department and telling anyone  
4           that they did anything wrong to him?

5           A.    No, sir. Not to my knowledge.

6           Q.    Are you aware of anyone contacting HPD  
7           on your father's behalf and saying they did  
8           something inappropriate to your father?

9           A.    Not to my knowledge.

10          Q.    And I think I asked this, but you're  
11          not aware of your father contacting anyone at  
12          HPD?

13          A.    No, sir. Not to my knowledge.

14          Q.    Other than filing a lawsuit, have you  
15          done anything, other than that, to make it known  
16          that you claim that what you felt happened to you  
17          was not appropriate?

18          A.    No, sir.

19          Q.    What about your father, other than  
20          filing a lawsuit, did he do anything else?

21          A.    Not to my knowledge.

22          Q.    After this arrest, did you ever have  
23          any contact with Officer Breland or Officer  
24          Holden?

25          A.    After the arrest? No, sir.



1 Q. Do you know anyone who did?

2 A. No, sir. Not no name, none of that.

3 Q. All right. Have you heard anything  
4 about Officer Breland or Officer Holden?

5 A. Well, on the street was some guys  
6 hanging out there. I seen Officer Breland get  
7 out his vehicle and slap a guy and tell him to go  
8 head on and that's all I seen him. But after  
9 that, I haven't seen him in Hattiesburg no more.

10 Q. When was that?

11 A. That was about -- that was about, I'd  
12 say about four or five months after I got myself  
13 back together to walk on the crutches really and  
14 I was going to the store. And I'd see the police  
15 officer pull up, and then I had seen Officer  
16 Breland slap the guy.

17 And my son-in-law at the time stay over  
18 there and I asked him what was going on. And he  
19 said some gang boys out there. And I ask him  
20 why. He didn't know. So I never -- I didn't  
21 know either. So I just didn't say nothing about  
22 that.

23 Q. You didn't contact Hattiesburg Police  
24 Department about that incident?

25 A. No, sir.

1           Q.    After your medical treatments, tell me  
2 what happened with the court case?

3           A.    What happened to the court case?

4           Q.    Uh-huh. As far as the criminal  
5 charges.

6           A.    I had called and see what the charges I  
7 was charged with and all that. And they said  
8 they had thrown it out, and they didn't explain  
9 to me why or tell me why. You know, when they  
10 say you have to go to court, and I was calling to  
11 see when was my court date for whatever they had  
12 charged me with, and they said it was thrown out  
13 of court, and I didn't have no court date and  
14 that was it.

15          Q.    What about your father's charges?

16          A.    I think his was thrown out, too.

17          Q.    Okay. Did you have an attorney at that  
18 time?

19          A.    That was the attorney right here.

20          Q.    Mr. Carter?

21          A.    Yes, sir.

22          Q.    All right. When did you retain  
23 Mr. Carter?

24          A.    Well, back in -- after I had surgery,  
25 about a couple weeks after I had surgery, if I'm

1 not mistaken.

2 Q. And you got Mr. Carter for your  
3 criminal charges?

4 A. Well, this -- I have my uncle. My  
5 uncle, like I said, is Preacher Perry Wade. He  
6 had told me that he was going to get an attorney  
7 for this. And when he notified me that's who the  
8 attorney was, I was going to call him. I mean,  
9 Mr. Carter.

10 Q. And Mr. Carter represented you on the  
11 charges?

12 A. He was on the case and that's when they  
13 said they throw it out.

14 Q. All right. Did you contact the court  
15 or did the court contact you?

16 A. I contacted the court to see what, you  
17 know, when I had to go court and what I had to go  
18 to court for. And they said the case on me had  
19 been dismissed. That's what they call it.

20 Q. All right. Did you ever hear that you  
21 had a court date?

22 A. No, sir, I didn't.

23 Q. What about a conviction, did you ever  
24 hear that you were convicted at the municipal  
25 court?

1           A.    No, sir.

2           Q.    No one ever told you you had been  
3 convicted?

4           A.    No, sir.

5           Q.    What about your father, did you ever  
6 hear of him being convicted?

7           A.    No, sir.

8           Q.    All right. What about filing an  
9 appeal, did you ever hear anything about an  
10 appeal?

11          A.    No, sir. None.

12          Q.    Nobody ever told you that your case was  
13 going to be appealed?

14          A.    No, sir.

15          Q.    You don't know anything about your  
16 father's case being appealed?

17          A.    Not to my knowledge.

18          Q.    And you don't know of anything related  
19 to you being convicted of a charge?

20          A.    No, sir.

21          Q.    Or any kind of appeal?

22          A.    No, sir.

23          Q.    I understand your father died in 2016?

24          A.    Yes, sir.

25          Q.    Last year?

1           A.    Yes, sir.

2           Q.    What did he die from?

3           A.    They said natural causes.

4           Q.    Okay. Was he at home?

5           A.    He was at the hospital.

6           Q.    Okay. Did he have any kind of  
7 condition?

8           A.    Well, they had -- after the -- after  
9 the incident, he didn't participate in no more  
10 activities like he just stayed in the bed. And  
11 then after he had laid in the bed and, you know,  
12 we had got home health nurses for him to come see  
13 about him at home.

14                   And then, after that, he just gave up  
15 and he never tried to walk or nothing. We tried  
16 to get him up and walking, and he never did want  
17 to walk or nothing. And after, the doctor said  
18 he had dementia and he really couldn't remember  
19 nothing else, nothing no more.

20           Q.    When was he diagnosed with dementia?

21           A.    I really can't recall. I really can't  
22 recall. I don't know if it was before or after  
23 the incident. But I know --

24           Q.    Was he having mental problems before  
25 this incident?

1           A.    No. He wasn't having no problems at  
2 all. Because I used to go get him every day and  
3 ride him around, and he would tell me where he  
4 wanted to go and I'd take him. You know what I'm  
5 saying.

6                   That's how he ended up at my house on  
7 that day. And that was the day I got paid and I  
8 told him I was going to take him out to eat.  
9 Because him and my son, like to eat at those  
10 restaurants. And, not to my knowledge, he didn't  
11 have no more problems.

12                   And, like I said, when he had got down,  
13 where he had gave up, and he had got a sore on  
14 one of his side where he laid there all the time,  
15 a bed sore. And I think that got infected and  
16 that's when they said the blood wasn't going to  
17 his leg no more.

18                   My sister had took him to the doctor,  
19 and they were going to evaluate where they had to  
20 take his leg off. And that day he got to the  
21 hospital, they said he was too weak to have his  
22 leg taken off. And that's when they put him in  
23 ICU and that was Tuesday or Wednesday up in  
24 middle of the week. And the doctor said his body  
25 just too weak, he couldn't take it. And just

1       that Monday evening he passed.

2           Q.     Other than what we've discussed about  
3     the incident, the questions I asked you about how  
4     it happened and your treatment afterwards, is  
5     there anything you would like to add other than  
6     what we've talked about?

7           A.     No, sir.

8           Q.     Did you have any other medical  
9     treatment or care other than what we talked  
10    about?

11          A.     No, sir.

12          Q.     As far as your father is concerned, did  
13    he have any other treatments other than what we  
14    discussed?

15          A.     Not to my knowledge, no sir.

16          Q.     Did you and your father ever discuss  
17    what happened that night?

18          A.     Well, like I said, when -- no. When I  
19    asked him a question and he just said, son, I  
20    don't remember nothing happen that night. I  
21    really don't want to talk about it. And I just  
22    left it and never asked him nothing else about  
23    it.

24                   MR. DOSSETT: That's all the questions  
25    I have.

1           MR. CARTER: I think I have one or two  
2           questions to clarify some things. Just a  
3           second.

4                           **EXAMINATION**

5       BY MR. CARTER:

6           Q.     When Mr. Dossett was questioning you  
7           earlier, there was an issue I don't think I was  
8           straight about. I believe you testified that  
9           when you got out of the jail and I think you  
10          testified it probably was a Thursday, do you  
11          recall that?

12          A.     That day that I went to the hospital?

13          Q.     You remember the day you got out?

14          A.     I believe it was Thursday.

15          Q.     Okay. And I believe your testimony was  
16          that you went to Wesley?

17          A.     Yes, sir.

18          Q.     You went to Wesley and -- is that  
19          correct?

20          A.     Yes, sir.

21          Q.     And then at that point when you left  
22          Wesley, where did you go? Did you go directly to  
23          Southern Bone & Joint or did you go home?

24          A.     I went home first. Because when they  
25          said I had to have surgery, I was thinking like



1 | you have to go to make an appointment.

2 Q. Right.

3           A. But I didn't know they had already set  
4           the procedure up for that. And when I called to  
5           get the appointment, they said I supposed to be  
6           there today at 10:00 or 11:00.

7 Q. Right. So when you left Wesley, you  
8 went home?

9 A. Yes, sir.

10 Q. Okay. And when you got home you called  
11 Southern Bone & Joint?

12           A.    To try and make an appointment for  
13   the -- to see when the surgery was going to be.

14 Q. Right. And at that point when you  
15 contacted Southern Bone & Joint from your home,  
16 the person or people told you that you needed to  
17 come on in at that time, that day?

18           A.    Yes, sir.  I suppose to have that  
19   surgery that day.

20 | Q. All right.

21 MR. CARTER: I think that's all I had  
22 to ask. I wasn't clear on that. So I tender  
23 the witness.

24 MR. DOSSETT: No other questions.

25 (Deposition concluded at 1:07 p.m.)

CERTIFICATE OF COURT REPORTER

I, Angeli English, Court Reporter and Notary Public in and for the County of Harrison, State of Mississippi, hereby certify that the foregoing pages, and including this page, contain a true and correct transcript of the testimony of the witness, as taken by me at the time and place heretofore stated, and later reduced to typewritten form by computer-aided transcription under my supervision and to the best of my skill and ability.

I further certify that the witness was placed under oath to truthfully answer the questions in this matter.

I further certify that I am not in the employ of or related to any counsel or party in this matter, and have no interest, monetary or otherwise, in the final outcome of the proceedings.

Witness my signature and seal this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
ANGELI ENGLISH  
My Commission Expires May 28, 2019

1 ERRATA SHEET

2 I, \_\_\_\_\_, do solemnly swear  
 3 that I have read the foregoing pages and that the  
 4 same is a true and correct transcript of the  
 5 testimony given by me at the time and place  
 6 hereinbefore set forth, with the following  
 7 corrections:

8 PAGE: LINE: SHOULD READ: REASON FOR CHANGE:

9 \_\_\_\_\_  
 10 \_\_\_\_\_  
 11 \_\_\_\_\_  
 12 \_\_\_\_\_

13 \_\_\_\_\_  
 14 (WITNESS SIGNATURE)

15  
 16 NOTARIZATION

17 I, \_\_\_\_\_, notary public for  
 18 the State of \_\_\_\_\_,  
 19 County, do hereby certify that \_\_\_\_\_  
 20 personally appeared before me this \_\_\_\_\_ day of  
 21 \_\_\_\_\_, 2017, at \_\_\_\_\_,  
 22 \_\_\_\_\_.

23 My Commission Expires

24 \_\_\_\_\_  
 25 (NOTARY PUBLIC)